

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.3690/2017 & WMP No.3739/2017

K.Antony

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Petitioner

Vs

1.The Joint Registrar of Cooperative Societies, Cuddalore Region, Cuddalore Cuddalore District.

2.The Deputy Registrar of Cooperative Societies, Cuddalore Circle, Cuddalore Cuddalore District.

3.The President
E-2647, Nadukuppam Primary Agricultural Cooperative Credit Society, Nadukuppam Village and Post-607103, Panruti Taluk

Cuddalore District.

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Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to disburse the petitioner's terminal benefits to the tune of Rs.2,43,980/- to the petitioner.

For Petitioner : Mr.T.E.Badrinathan

For Respondents: Mr.L.P.Shanmugasundaram
Spl.GP [Coop]

ORDER

By consent, the writ petition is taken up for final disposal. Mr.L.P.Shanmugasundaram, learned Special Government Pleader [Coop] accepts notice on behalf of the respondents.

2 The petitioner was appointed as a Packer in the services of the 3rd respondent / Society on 01.02.1985 and got his promotion as Fertilizer Salesman-cum-Attender and was allowed to retire from service on 31.10.2011. The grievance expressed by the petitioner is that despite very many requests and representations, the terminal/retiral benefits have not been settled and the Joint Registrar of Cooperative

Societies, Kilpauk, Chennai, vide communications dated 09.09.2015 and 30.08.2016 respectively, has directed the 1st respondent to look into the grievance expressed by the petitioner and redress the same. The petitioner has also submitted a representation dated 19.10.2016 to the respondents praying for an early settlement of the terminal/retiral benefits and since no orders have been passed, the petitioner came forward to file the present writ petition.

3 Heard Mr.T.E.Badrinathan, learned counsel appearing for the petitioner and Mr.L.P.Shanmugasundaram, learned Special Government Pleader [Coop] appearing for the respondents and he would submit that due to severe financial crisis, the 3rd respondent is unable to settle the retiral/terminal benefits and the said amount will be paid in installments as expeditiously as possible.

4 This Court has considered the rival submissions and also perused the materials placed before it.

5 It is really unfortunate to note that though the petitioner was allowed to retire from service as early as on 31.10.2011, nearly for the past five years, he has been knocking the doors of the respondents to get the retiral / terminal benefits and the reason assigned is financial crisis. It is high time that the Secretary to Government, Cooperation, Food and Consumer Protection Department, Government of Tamil Nadu, Secretariat, Chennai-9, shall look into it as very many writ petitions which are similar in nature, are being filed before this Court by the concerned employees of the Cooperative Societies seeking an early settlement of the terminal/retiral benefits.

6 This Court, taking into consideration, the above facts and circumstances, directs the 3rd respondent to settle the terminal/retiral benefits due and payable to the petitioner within a period of eight weeks from the date of receipt of a copy of this order and for the belated payment, shall also pay interest at the rate of 12% per annum, from the date of which it is due and payable till full and final settlement.

7 The writ petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

-sd/-
Assistant Registrar

True Copy

Sub-Assistant Registrar

AP

To

1.The Joint Registrar of Cooperative Societies, Cuddalore Region, Cuddalore Cuddalore District.

2.The Deputy Registrar of Cooperative Societies, Cuddalore Circle, Cuddalore Cuddalore District.

3.The President
E-2647, Nadukuppam Primary Agricultural Cooperative Credit Society, Nadukuppam Village and Post-607103, Panruti Taluk Cuddalore District.

Copy to:-

The Secretary to Government
Government of Tamil Nadu,
Cooperation, Food and Consumer
Protection Department,
Secretariat, Fort St George
Chennai 600 009.

+ 1 cc to M/s.L.P.Shanmugasundaram, SR.NO.10024

+ 1 cc to Govt. Pleader SR.NO.10216

W.P.No.3690/2017

सत्यमेव जयते

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