



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD).No.11021 of 2017

S.Amirtharajan

..Petitioner

Vs.

1. The Registrar of Co-operative Societies,
EVR Salai, Kilpauk,
Chennai - 600 010.
2. The Joint Registrar of Co-operative Societies,
Theni Region, Collectorate Campus,
Theni Post and District.
3. The Deputy Registrar of Co-operative Societies,
Periyakulam Circle,
Thenikarai, Vaigaidam Road,
Periyakulam Post,
Theni District.
4. The President,
A-1171, Allinagaram Primary
Agricultural Co-operative Credit Society,
Allinagaram Post,
Theni District.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay the balance amount of Rs.7,02,201/- towards terminal retirement benefits of Gratuity and PF amount along with interest at the rate of 18% per annum of the petitioner's representation, dated 08.05.2017, till the date of payment within a stipulated period as to be fixed by this Court.

For Petitioner	: Mr.C.G.Pethanaraj
For Respondents	: Mr.C.Selvaraj,
	Special Government Pleader.

O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents to pay the balance amount of Rs.7,02,201/- towards terminal retirement benefits of Gratuity and PF amount along with interest at the rate of 18% per annum, of the petitioner's representation, dated

08.05.2017, till the date of payment within the time stipulated by this Court.

2. Heard, Mr.C.G.Pethanaraj, learned counsel appearing for the petitioner and Mr.C.Selvaraj, learned Special Government Pleader appearing for the respondents.

3. Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal.

4. Though the Writ petition is for issuing a Writ of Mandamus to give a positive direction to the respondents to pay the terminal benefits to the petitioner, the learned counsel for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents to consider the representation of the petitioner, dated 08.05.2017 and to dispose of the same on merits within the time stipulated by this Court.

5. Having regard to the limited scope of the prayer that is now sought before this Court by the learned counsel for the petitioner, without expressing any opinion on the merits of the petitioner's case, this Court is inclined to issue the following direction:-

"The respondents are directed to consider the representation of the petitioner, dated 08.05.2017, and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order."

6. Accordingly, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

1. The Registrar of Co-operative Societies,
EVR Salai, Kilpauk, Chennai - 600 010.
2. The Joint Registrar of Co-operative Societies,
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Theni Post and District.
3. The Deputy Registrar of Co-operative Societies,
Periyakulam Circle, Thenikarai, Vaigaidam Road,
Periyakulam Post, Theni District.
4. The President, A-1171, Allinagaram Primary
Agricultural Co-operative Credit Society,
Allinagaram Post, Theni District.

+One cc to Mr.R.Saravanan, Advocate, SR.No.60117

+One cc to The Special Government Pleader, SR.No.60452

pmu

<https://hscs.courts.gov.in/cases/SC/17/30/6/2017>

ORDER MADE IN

W.P.(MD).No.11021 of 2017

14.06.2017