



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2017

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

W.P.(MD)No.19839 of 2017

M.Chitharanjan

... Petitioner

Vs.

1.The Deputy Registrar of Co-Operative Societies,
Department of Co-Operative Societies,
Office of the Deputy Registrar, (Co-Operative Societies),
Subramaniaypuram, 5th Street, Karaikudi,
Sivagangai District.

2.The Sub Registrar,
Tirupathur Co-Operative Primary,
Agricultural & Rural Development Bank Limited,
TRL (S2), Thriupathur,
Sivagangai District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, directing the first respondent forthwith to disburse the leave salary and gratuity amount to the petitioner in the light of his representation dated 03.10.2017 within a time frame that may be stipulated by this Court.

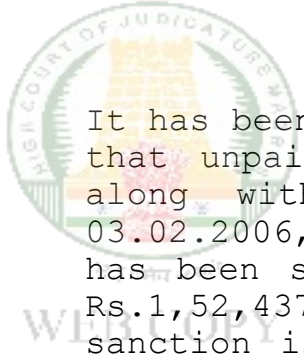
For Petitioner : Mr.R.Pon Karthikeyan
For Respondents : Mr.R.Velmurugan,
Government Advocate.

O R D E R

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the first respondent forthwith to disburse the leave salary and gratuity amounting to the petitioner in the light of his representation dated 03.10.2017.

2.Heard Mr.R.Pon Karthikeyan, learned counsel appearing for the petitioner and Mr.R.Velmurugan, learned Government Advocate appearing for the respondents.

3.It has been stated in the affidavit of the first respondent that out of the total retirement benefits of Rs.7,74,655/- (Rupees Seven Lakhs Seventy Four Thousand Six Hundred and Fifty Five Only), the second respondent disbursed a sum of Rs.5,81,181/- (Rupees Five Lakhs Eighty One Thousand One Hundred and Eighty One Only) along with interest, but the leave salary and gratuity amounting of RS.1,52,437/- (Rupees One Lakh Fifty Two Thousand Four Hundred and Thirty Seven Only) alone has not been disbursed to the petitioner.



It has been further stated that the proposal for the disbursement of that unpaid amount has been sent to the Government for sanction along with the claim of other similarly placed persons on 03.02.2006, which is pending with the Government. In particular, it has been stated in the para 5 of that affidavit that the sum of Rs.1,52,437/- would be disbursed to the petitioner immediately after sanction is received from the Government and that reasonable time may be granted for the said purpose.

5. Recording the aforesaid undertaking of the respondents, this Writ Petition is disposed of with a direction to the respondents to take expeditious steps to get the requisite sanction of the Government and pay the gratuity and leave salary of the petitioner with interest at the rates as applicable under the rules, and file a report of such compliance before the Registrar (Judicial) of this Court by 31.01.2018. No costs.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To

1.The Deputy Registrar of Co-Operative Societies,
Department of Co-Operative Societies,
Office of the Deputy Registrar, (Co-Operative Societies),
Subramaniapuram, 5th Street, Karaikudi,
Sivagangai District.

2.The Sub Registrar,
Tirupathur Co-Operative Primary,
Agricultural & Rural Development Bank Limited,
TRL (S2), Thriupathur,
Sivagangai District.

Copy to:-

**The Registrar(Judicial) ,
Madurai Bench of Madras High Court, Madurai**

+One cc to Mr.R.Pon Karthikeyan, Advocate, SR.No.87268
+One cc to The Special Government Pleader, SR.No.87475

Myr

RL/6C/2P/SV/MMS/SAR1/30/11/2017

W.P (MD) No.19839 of 2017