



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.03.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) .No.3986 of 2017

Mr.L.Michael Joseph Raj

.. Petitioner

Vs.

1. The Registrar of Co-operative Societies,
No.170, E.V.R. Periyar High Road,
Kilpauk, Chennai-600 010.
2. The Management,
The Palani Co-operative Primary Agricultural & Rural
Development Bank,
Rep. by its President/Managing Director,
Anna Nagar, R.S.Road, Palani-624 601,
Dindigul District.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to disburse the terminal benefits to the tune Rs.2,83,340/- in terms of interest at the rate of 12% p.a from the date of retirement of the petitioner such as gratuity, provident fund, earned leave and all other accrued benefits within the time period stipulated by this Court.

For Petitioner	: Mr.T.Lajapathi Roy
For R-1	: Mr.J.Gunaseelan Muthaiah, Government Advocate.
For R-2	: Mr.S.Satheesh Kumar

ORDER

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents to disburse the terminal benefits to the tune Rs.2,83,340/- in terms of interest at the rate of 12% p.a from the date of retirement of the petitioner such as gratuity, provident fund, earned leave and all other accrued benefits within the stipulated time.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the first respondent and the learned counsel appearing for the second respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

3. Mr.J.Gunaseelan Muthaiah, learned Government Advocate, takes notice for the first respondent and Mr.S.Satheesh Kumar, learned



counsel takes notice for the second respondent. By consent, the Writ petition itself is taken up for final disposal.

4. Though the Writ petitioner has come with the prayer seeking a positive direction for disbursement of terminal benefits, the petitioner has submitted that he will be satisfied if a direction is given to the respondents to consider the representation of the petitioner, dated 25.02.2017.

5. Considering the request of the petitioner, without expressing any opinion on the merits of the matter, this Court is inclined to issue a following direction:-

"The respondents 1 and 2 are directed to consider the representation of the petitioner, dated 25.02.2017 on merits and in accordance with law, after giving an opportunity to the petitioner to appear in person and to state his case. The respondents 1 and 2 are further directed to dispose of the representation of the petitioner, dated 25.02.2017, 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 (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Registrar of Co-op Societies,
No.170, E.V.R. Periyar High Road,
Kilpauk, Chennai-600 010.
2. The Management,
The Palani Co-operative Primary Agricultural & Rural
Development Bank,
represented by its President/Managing Director,
Anna Nagar, R.S.Road, Palani-624 601,
Dindigul District.

+ 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 13324
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 13448

PMU

TE/SKN : 17/03/2017 : 2P/5C