

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.12.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.20108 of 2004

V.Janarthanam

.. Petitioner

--vs--

- 1.The Deputy Registrar of Co-operative Societies,
Ponneri Cirlce,
Ponneri, Tiruvallur Distirct.
 - 2.The Special Officer,
Tamil Nadu State Agriculture and Rural Development Bank,
Luz Church Road,
Mylapore,
Chennai - 4.
 - 3.Ponneri Co-op Primary Agricultural
and Rural Development Bank Ltd.,
Rep.by its Special Officer,
Ponneri,
Tiruvallur District.
- .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to disburse the terminal benefits of the petitioner as per concluded settlement arrived at under Section 18(1) and 12 (3) of the I.D. Act between the petitioner and the managements of the respondent bank.

For Petitioners : Mr.C.Prakasam

For Respondents : Mrs.T.Girija
Government Advocate for R1
Mr.P.Srinivas for R2
Mr.M.Mahalingam for R3

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondents to disburse the terminal benefits of the petitioner as per concluded settlement arrived

at under Section 18(1) and 12 (3) of the I.D. Act between the petitioner and the managements of the respondent bank.

2. The petitioner was appointed in Ponneri Co-operative Primary Agricultural and Rural Development Bank Limited, as Supervisor on 19.03.1968 and retired from service on 30.06.2001. The petitioner was placed under suspension on account of the initiation of disciplinary proceedings and due to the pendency of the disciplinary proceedings, the terminal and retirement benefits were not settled to the writ petitioner. The writ petitioner filed the present writ petition, after a lapse of about 3 years from the date of retirement on 19.05.2001.

3. This Court is of an opinion that, if at all, disciplinary proceedings are initiated against the writ petitioner, the terminal benefits are to be paid only after the conclusion of the disciplinary proceedings and if the writ petitioner is exonerated then he would be entitled to get all the benefits.

4. The learned counsel for the writ petitioner as well as the learned counsel for the respondents are unable to inform the current status of the case to this Court. However, the fact remains that the writ petitioner attained the age of superannuation on 30.06.2001 and the relief sought for in the present writ petition is to settle the terminal benefits. Under these circumstances, it is suffice to state that, if there is no impediment for the respondents to settle the terminal benefits to the petitioner, the same shall be paid in accordance with the procedures contemplated and as per the eligibility of the writ petitioner. If the disciplinary proceedings or any criminal case is pending, all further actions shall be initiated only after the conclusion of disciplinary proceedings or criminal case if any.

5. With these observations, the present writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

Pns

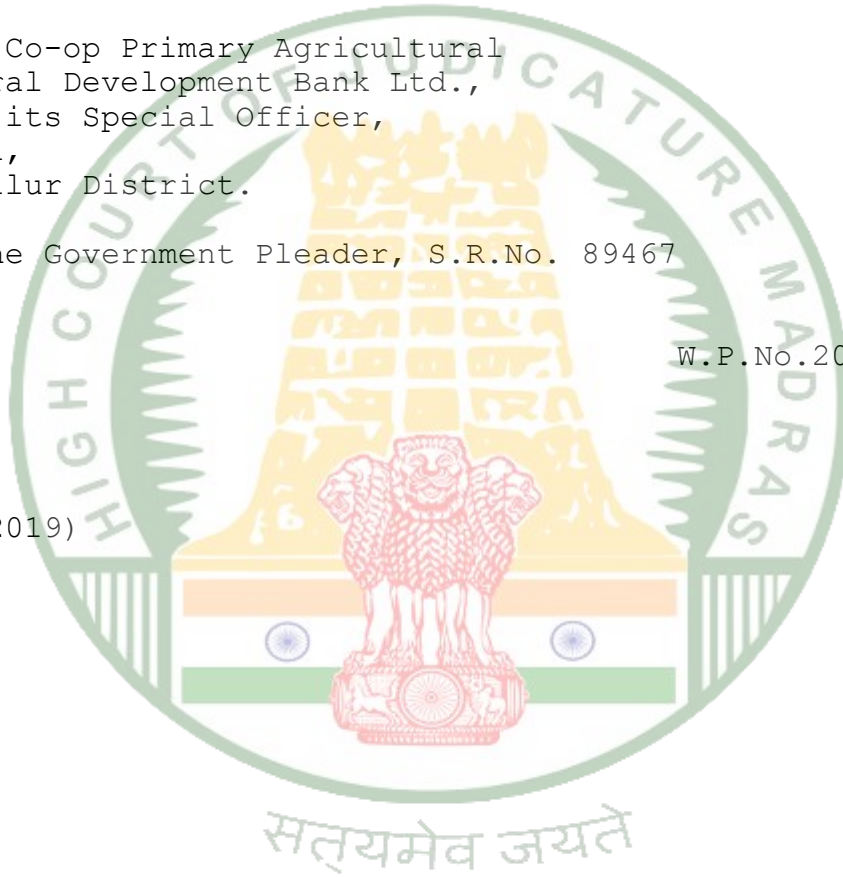
To

- 1.The Deputy Registrar of Co-operative Societies,
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Ponneri, Tiruvallur Distirct.
- 2.The Special Officer,
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Luz Church Road,
Mylapore,
Chennai - 4.
- 3.Ponneri Co-op Primary Agricultural
and Rural Development Bank Ltd.,
Rep.by its Special Officer,
Ponneri,
Tiruvallur District.

+1cc to the Government Pleader, S.R.No. 89467

W.P.No.20108 of 2004

VSN II(CO)
GN(22/01/2019)



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