

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.03.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P. No.6866 of 2018

A.S.Natarajan

.. Petitioner

Vs.

- 1.The Joint Registrar of Co-operative Societies,
Saravanabhava Super Market Complex,
Pudupalayam, Cuddalore.
- 2.The Deputy Registrar of Co-operative Societies,
Cuddalore.
- 3.The President,
Adinarayanapuram Primary Agricultural
Co-operative Credit Society Ltd.,
Adinarayanapuram,
Cuddalore District - 608 801.
- 4.The President,
Kundiyamallur Primary Agricultural
Co-operative Credit Society Ltd.,
Kundiyamallur,
Cuddalore District - 607 301.

... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation made to them on 03.01.2018 and direct them to pay the petitioner his retirement benefits together with interest at 12% per annum after deducting the amounts due to the society on account of the surcharge proceedings initiated against the petitioner.

For Petitioner : Mr.S.Balasubramanian
For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader

O R D E R

By consent, this Writ Petition is taken up and disposed of at the stage of admission itself.

2. The petitioner is a retired Secretary from the third respondent Adinarayanapuram Primary Agricultural Co-operative Credit Society Ltd. As he retired from service with effect from 31.03.2007, a letter was issued by the Co-operative Sub-Registrar to the Special Officer of the third respondent informing that the petitioner is due to pay a sum of Rs.2,55,000/-. In view of the above letter, the petitioner was not paid with any retiral benefits. Therefore, he has given a representation dated 03.01.2018 requesting the second respondent to consider the balance retiral benefits. But till date the said representation has not been considered, the petitioner is before this Court.

3. Heard Mr.S.Balasubramanian, learned counsel appearing for the petitioner and Mr.L.P.Shanmughasundaram, learned Special Government Pleader appearing for the respondents, submitted that the petitioner has come forward with a request of deduction as dues payable by him to the third respondent Society. As the petitioner was found liable to pay Rs.2,55,000/- in the Surcharge Proceedings No.Na.Ka.No.6452/Ku.Na dated 29.08.2005 in E.P.No.243/2005-06, the second respondent who is the competent authority for the respondents 3 and 4 will consider the pending representation made by the petitioner, after deducting the dues payable by him to the third respondent society and the balance amount will be dispersed to the petitioner.

4. Recording the submission made by the learned Special Government Pleader appearing for the respondents, the second respondent who is the competent authority for the respondents 3 and 4 is hereby directed to consider the representation of the petitioner dated 03.01.2018 and pass appropriate orders, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

5. With this direction, the Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sri

To

- 1.The Joint Registrar of Co-operative Societies,
Saravanabhava Super Market Complex,
Pudupalayam, Cuddalore.
- 2.The Deputy Registrar of Co-operative Societies,
Cuddalore.
- 3.The President,
Adinarayanapuram Primary Agricultural
Co-operative Credit Society Ltd.,
Adinarayanapuram,
Cuddalore District - 608 801.
- 4.The President,
Kundiyamallur Primary Agricultural
Co-operative Credit Society Ltd.,
Kundiyamallur,
Cuddalore District - 607 301.

+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.23309

+1cc to Mr.S.Balasubramanian, Advocate, S.R.No.22646

+1cc to the Government Pleader, S.R.No.23361

W.P. No.6866 of 2018

GSP (09/04/2018)

सत्यमेव जयते

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