

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.08.2018

Coram

The Hon'ble Mr. Justice Satrugana Pujahari

Writ Petition No. 21491 of 2018
and
W.M.P.No. 25232 of 2018

S. Thamisudeen

...Petitioner

Vs.

1. The President,
Kalakurichi Co-operative Housing
Society Ltd, SAHSG - I, 8/40,
Kottaimedu
Kalakurichi Main Road,
Villupuram District - 606 401.

2. The Deputy Registrar (Housing)
Cuddalore, Cuddalore District.

3. The Assistant General Manager,
The Tamil Nadu Co-operative Housing
Federation Ltd,
No, 40, Ritherdon Road,
Vepery, Chennai - 600 007.

4. The Managing Director,
The Tamil nadu Co-operative Housing
Federation Ltd., No. 40, Ritherdon Road,
Vepery, Chennai - 600 007.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus to call for the records of the third respondent made in Na.Ka.No. 3684/2014-15 Va.Vai.Nithi dated 22.12.2017, to quash the same as null and void direct the fourth respondent to release the Staff Provident Fund of Rs. 8,64,283/- Staff Gratuity Fund of Rs.6,91,969.00/-, Security Deposit of Rs.1,000/-, along with 12% interest till the date of realization.

For Petitioner : Mr.Vinod Paul Tyagarajdavid

For Respondent : Mr.L.P.Shanmugasundaram
Special Government Pleader
(Co- operative Societies)

ORDER

Mr.L.P.Shanmugasundaram, the learned Special Government Pleader who accepts notice on behalf of the respondents. With consent of the learned counsel on either side, the Writ Petition is taken up for disposal.

2. The grievance of the petitioner is that though he has been retired from service on 31.01.2016, till date he has not been paid with retiral benefits, which he is legally entitled to. On the other hand, the third respondent has sent a communication to the first respondent dated 22.12.2017, to intimate about the charges pending against the petitioner for finalization of his entitlement of retiral benefits. Challenging the same and also for a direction to release the retiral benefits, the petitioner has filed this Writ Petition

4. The Counsel appearing for the petitioner would submit that though he has made aforesaid prayer, he now confines his prayer seeking a direction to the first respondent to comply with the aforesaid direction of the third respondent within a stipulated period and then direct the third respondent to consider his claim of retiral benefits as per entitlement, within a stipulated period.

5.The learned Special Government Pleader (Co-op) appearing for the respondent would submit that on receipt of the letter in compliance to the letter dated 22.12.2017 of Assistant General Manager, Tamilnadu Housing Federation Limited, action shall be taken with regard to entitlement of the petitioner in accordance with law, within a reasonable period.

6. Considering the aforesaid facts and the submissions made, this Court therefore without seeking any reply affidavit dispose of this Writ Petition, with a direction to the first respondent to comply with the direction given in communication dated 22.12.2017 by the third respondent, within a period of two weeks from the date of receipt of the copy of this order and the third respondent shall take decision on the proposal for release of the retiral benefits within three weeks on receipt of such communication from the first respondent, if there is no other legal impediment. No costs. Consequently, connected Miscellaneous Petition is closed.

arr/mrm

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

1. The President,
Kalakurichi Co-operative Housing
Society Ltd, SAHSG - I, 8/40,
Kottaimedu
Kalakurichi Main Road,
Villupuram District - 606 401.

2. The Deputy Registrar (Housing)
Cuddalore, Cuddalore District.

3. The Assistant General Manager,
The Tamil Nadu Co-operative Housing
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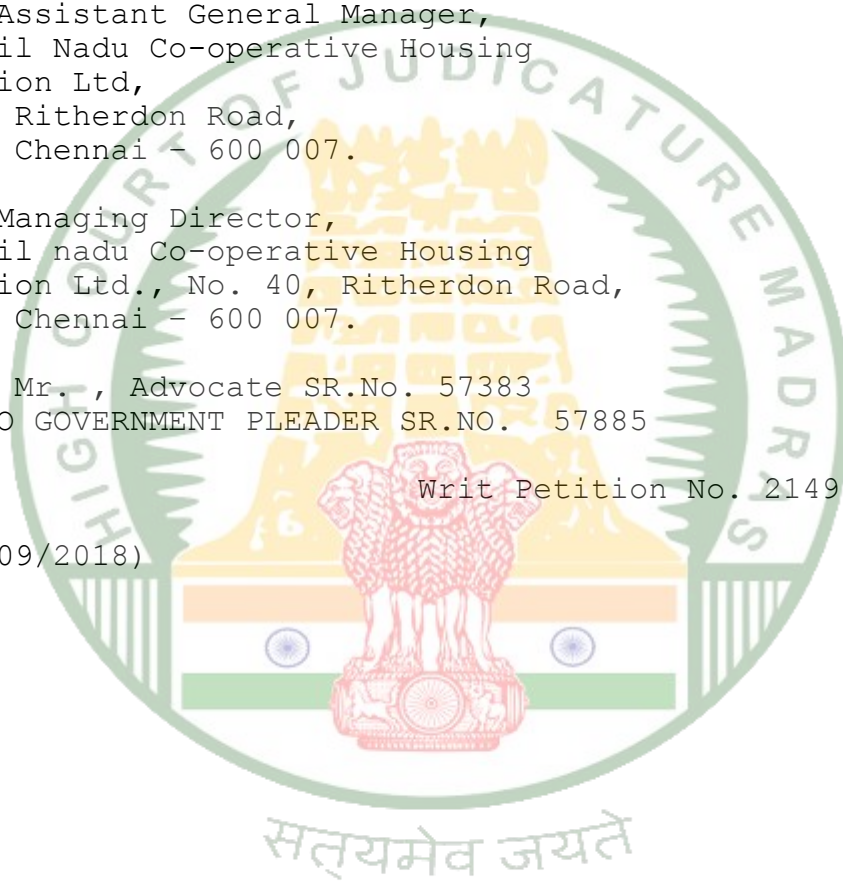
4. The Managing Director,
The Tamil nadu Co-operative Housing
Federation Ltd., No. 40, Ritherdon Road,
Vepery, Chennai - 600 007.

+2cc to Mr., Advocate SR.No. 57383

+1 CC TO GOVERNMENT PLEADER SR.NO. 57885

Writ Petition No. 21491 of 2018

ASK(24/09/2018)



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