

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2018

CORAM :

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P.No.22493 of 2018 and
W.M.P.Nos.26351 & 26352 of 2018

S.Velayutham

... Petitioner

Vs.

1. The Regional Joint Registrar of Co-operative Societies,
Thiruvarur Region,
District Collector Office Complex,
Thiruvarur - 610 001.
2. D-539 Moovarkottai Primary Agricultural Co-operative Bank,
Moovarkottai Post,
Vaduvur via.
Mannargudi Taluk,
Thiruvarur District - 614 019.
Rep. by its President

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to disburse the salary due to the petitioner since 01.04.2015 continuously up to date, within the time frame to be stipulated by this Hon'ble Court.

For Petitioner : Mr.T.S.Rajamohan

For Respondents : Mr.L.P.Shanmuga Sundaram
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for a direction to the respondents to disburse the salary due to the petitioner, since 01.04.2015, within the time frame.

2. The grievance of the petitioner in this Writ Petition is that though he was working as a Clerk in D-539 Moovarkottai Primary Agricultural Co-operative Bank, since 2013, and thereafter remained as a Secretary from the month of May 2018, his salary from the month of April 2015 has not been paid to

him. Hence, he has come forward to file this writ petition seeking for the aforesaid relief.

3. The learned counsel appearing for the petitioner submits that since the salary due to the petitioner from 01.04.2015 has not been paid to him, a direction be issued to the respondents to disburse the same, within the stipulated time.

4. However, the learned counsel appearing for the respondents submits that the petitioner holds the post of Secretary temporarily, hence he has not been paid with the salary, but it is not disputed that the petitioner's salary from the month of April 2015 has not been paid. It is also submitted that the petitioner's salary as a clerk, has been drawn and kept in suspension payable account.

5. In the aforesaid premises, this Court dispose of this writ petition with a direction to the second respondent to immediately disburse the salary of the petitioner which has already been drawn and kept in Suspension Payable Account and also go on paying the current salary in the scale of clerk, which is without prejudice to the claim of the petitioner for payment of the salary as Secretary from the date he is working as Secretary. The petitioner to redress his grievance for payment of the salary of Secretary from the date he is working as Secretary with the respondent by filing appropriate representation. But the observation of this Court in this regard shall not be construed as a direction to allow the petitioner to continue as Secretary, if he is otherwise not entitled to the same.

6. It is further stated by the learned counsel for the petitioner that the authorities are threatening him that the petitioner will be removed from service. It is made clear that if such removal from the post is effected, he may approach the appropriate forum in appropriate time, inasmuch as no concrete materials has been placed before this Court indicating the same. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (CS IX)

//True Copy//

Sub Assistant Registrar

arr/mkn/lok

To

1. The Regional Joint Registrar of Co-operative Societies,
Thiruvarur Region,
District Collector Office Complex,
Thiruvarur - 610 001.
2. D-539 Moovarkottai Primary Agricultural Co-operative Bank,
Moovarkottai Post,
Vaduvur via.
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Thiruvarur District - 614 019.
Rep. by its President

+1 cc to Mr.T.S.Rajamohan Advocate sr 63173
+1 cc to Mr.L.P.Shanmugasundaram Advocate sr63419
+1 cc to Government pleader sr 63436

W.P.No.22493 of 2018

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