

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATE : 29.11.2018

CORAM
THE HONOURABLE DR. JUSTICE S.VIMALA

W.P. NO. 31597 OF 2018

V.Subramanian

.. Petitioner

- Vs -

1. The Registrar of Cooperative Societies, Chennai 600 010.
 2. The Joint Registrar of Cooperative Societies, Villupuram Region Villupuram.
 3. The Deputy Registrar of Cooperative Societies Villupuram Circle, Villupuram.
 4. The President
E.123, Rampakkam Primary Agricultural Cooperative Credit Society Ltd.
Rampakkam Post, Villupuram Taluk & District 605 105.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the respondents 1 to 3 to initiate suitable action for disbursement of the retiral benefits due and payable to the petitioner consequent on his retirement on 31.8.2018 AN as Secretary of E-123, Rampakkam Primary Agricultural Cooperative Credit Society Ltd., Rampakkam, Villupuram Taluk & District with interest for the delayed payment within a limited time frame as fixed by this Court.

For Petitioner : Mr. K.Govindaraj

For Respondents: Mr. L.P.Shanmugasundaram for RR-1 to 3

ORDER

This writ petition has been filed seeking direction to the respondents to disburse the retiral benefits due and payable to the petitioner consequent on his retirement on 31.8.2018 AN with interest.

2. The petitioner retired from the services of the 4th respondent on 31.8.2017 and the petitioner was also relieved on the same day. At the time of relieving, clear chit has been given to the petitioner stating that no proceedings are pending against the petitioner. On the date of retirement, the petitioner is entitled to receive a sum of Rs.24,78,636/=. It is the claim of the petitioner that though some amount has been disbursed, the remaining amount is yet to be disbursed. So claiming, a representation dated 16.7.2018 has been submitted followed by a subsequent representation to the respondents requesting payment of the balance amount. However, no orders have been passed on the said representation and the balance amount due to the petitioner has also not been paid. Therefore, the present writ petition has been filed.

3. Mr. L.P.Shanmugasundaram, learned standing counsel accepts notice on behalf of respondents 1 to 3. It is submitted by the learned counsel for the respondents that due to financial crunch the respondents have not disbursed the balance amount and the balance amount will be paid within a limited time frame that may be fixed by this Court.

4. Though such a contention is advanced, financial crunch cannot be a ground for denying the retiral benefits of the petitioner. However, in view of the limited relief sought for, this Court is of the view that it would suffice to direct the respondents to consider the representation of the petitioner for payment of the balance portion of the retiral benefits within a particular time frame.

5. In the above circumstances, this writ petition is disposed of directing the respondents to disburse the balance portion of the retiral benefits of the petitioner within a period of six months from the date of receipt of a copy of this order.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

GLN

To

1.The Registrar of Cooperative Societies,
Chennai 600 010.

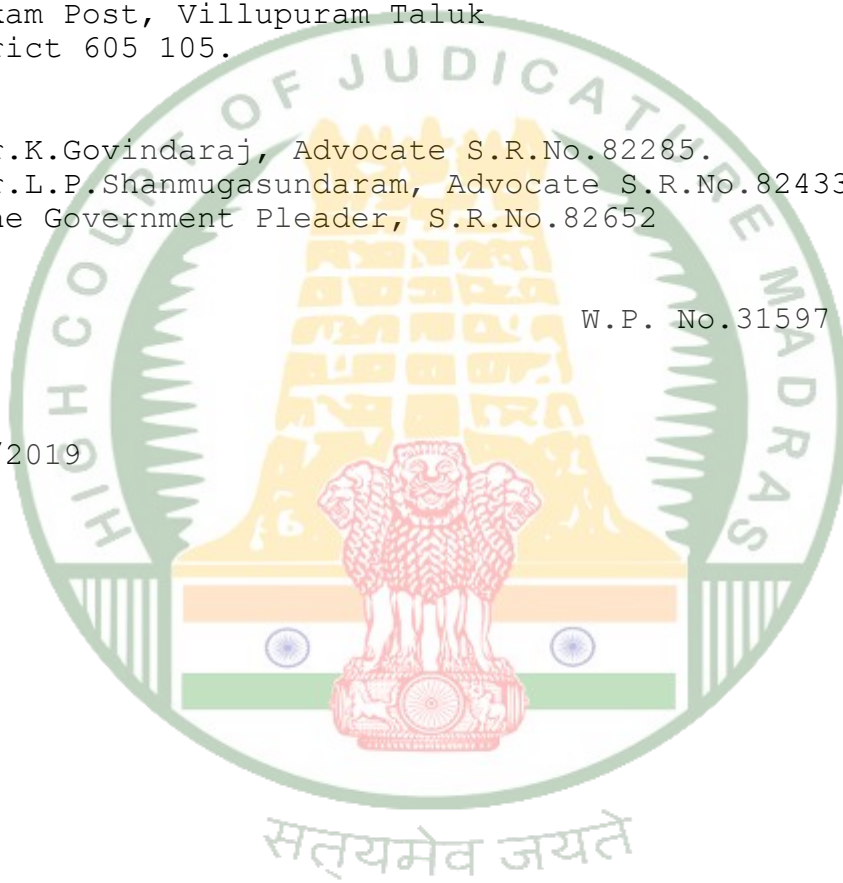
2. The Joint Registrar of Cooperative Societies, Villupuram Region Villupuram.
3. The Deputy Registrar of Cooperative Societies Villupuram Circle, Villupuram.
4. The President
E.123, Rampakkam Primary Agricultural Cooperative Credit Society Ltd.
Rampakkam Post, Villupuram Taluk & District 605 105.

+1cc to Mr.K.Govindaraj, Advocate S.R.No.82285.
+1cc to Mr.L.P.Shanmugasundaram, Advocate S.R.No.82433
+1cc to the Government Pleader, S.R.No.82652

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VGI (CO)

rrs 03/01/2019



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