



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2018

CORAM:

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THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.6134 of 2018

N.S.Manilal

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Co-operative Department,
Fort St.George, Secretariat,
Chennai-600 009.

2.The Registrar of Co-operative Societies,
Chennai.

3.The Joint Registrar of Co-operative Societies,
Tirunelveli Region,
Tirunelveli - 2.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to permit the petitioner to retire from service with effect from the date of attaining the age of super annuation and to regularise the period of suspension, out of employment and period of extension of service with all service and monetary benefits within the period that may be fixed by this Court.

For Petitioner : Mr.V.Kannan

For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

By consent of both parties, the writ petition is taken up for disposal at the admission stage itself.

2.The petitioner is aged about 75 years. He is a former employee of the Co-operative Department. He reached the age of superannuation way back in the year 2002. But he was not allowed to retire.

3.The learned counsel appearing for the petitioner submitted that there is no criminal case is pending against the writ petitioner. Even the department action initiated against him, got



closed on 13.11.2017. Therefore, there is no impediment for permitting the petitioner to retire from service. The petitioner's suspension period will have to be regularized and the benefits payable to the writ petitioner will have to be disbursed. In this regard, he has given a representation dated 06.11.2016.

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4. The first respondent is directed to consider the same and pass appropriate order on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Co-operative Department,
Fort St. George, Secretariat,
Chennai-600 009.

2. The Registrar of Co-operative Societies,
Chennai.

3. The Joint Registrar of Co-operative Societies,
Tirunelveli Region,
Tirunelveli-2.

+1cc to Mr. V. Kannan, Advocate, SR.No.57015.

+1cc to Special Government Pleader, SR.No.57928

W.P. (MD) No. 6134 of 2018
22.03.2018

rmi

RAM/SV MMS/SAR 4/04.05.2018/2P/6C