



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.18116 of 2016

P.Moovendran

... Petitioner

Vs.

1. The Deputy Registrar of Cooperative Societies,
O/o. The Deputy Registrar of Cooperative Societies,
Krishnarayar Tepakulam Street,
Madurai - 625 001.

2. The Management,
Tamil Nadu State Transport Corporation
(MDU.DIV-1)
Madurai Employees Coop.Thrift & Credit
Society Ltd,
94/4B, Pattukottai Kalyanasundaram Street,
Bye Pass Road,
Madurai - 625 010.

... Respondents

Prayer : This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records culminating in order dated 16.10.2015 issued by the first respondent, quash the same and direct the respondents to pay the Provident Fund and earned leave encashment standing to the credit of the petitioner along with accrued interest till payment.

For Petitioner : Mr.T.Arulvadivel @ Sekar
For Respondents : Mr.J.Gunaseelan Muthaiah,
Addl.Govt.Pleader for R1
Mr.D.Shanmugaraja Sethupathi for R2

O R D E R

The writ petitioner herein was an employee under the second respondent society. He was saddled with surcharge liabilities. He wanted encashment of the earned leave as well as the provident fund. The retirement benefits were not disbursed. The first respondent by the impugned order dated 16.10.2015 rejected the request of the writ petitioner for disbursement of the retirement benefits. Questioning the same, this writ petition has been filed.

<https://hcservices.courts.gov.in/hcservices/>

2.I am of the view that the writ petitioner can very well avail



the statutory remedy under Section 153 of the Tamil Nadu Cooperative Societies Act, 1983. The same has not been exhausted. The writ petition is therefore held to be not maintainable. However, the writ petitioner is at liberty to pursue his remedy before the appropriate revisional authority.

3.The learned counsel appearing for the writ petitioner would submit that the matters can be given quietus, if the CMAs filed by the petitioner herein are directed to be speedily disposed of. The Principal District Judge is directed to dispose of the CMA(CS)Nos.12 of 2015, 13 of 2015 and 34 of 2015 on or before 30.06.2018.

4.This writ petition is dismissed with the above observation and direction. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

The Deputy Registrar of Cooperative Societies,
Krishnarayar Tepakulam Street,
Madurai - 625 001.

Copy To:-

The Principal District Judge,
Madurai.

+ 1 CC TO Mr.D.SHANMUGARAJA SETHUPATHI, ADVOCATE IN SR No. 41787
+ 1 CC TO Mr.C.ARUL VADIVEL @ SEKAR, ADVOCATE IN SR No. 41826
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 42269

SKM

TE/GT/SAR-3 : 14/03/2018 : 3P/6C

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