



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P (MD) No.1493 of 2011

A.Balasubramanian

... Petitioner

Vs.

1.The Commissioner of Agriculture/
Registrar of Agro Engineering Services,
Chepuak, Chennai.

2.The Deputy Commissioner of Agriculture and
Deputy Registrar of Agro Engineering Services,
Tirunelveli.

3.The Special Officer,
TNSPL 224 Vasudevanallur Agro Engineering,
Services Co-Operative Society,
Vasudevanallur,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pursuant to the impugned orders passed in Na.Ka.91051/2010VePoPa-4, dated 08.11.2010, passed by the first respondent and quash the same as illegal and consequently directing the respondents to disburse the terminal benefits of the petitioner, i.e. Employees Provident Fund, Gratuity, Salary arrears from the year 2003 till his retirement on 30.04.2008 within a time frame fixed by this Court.

For Petitioner

: Mr.P.Athimoolapandian

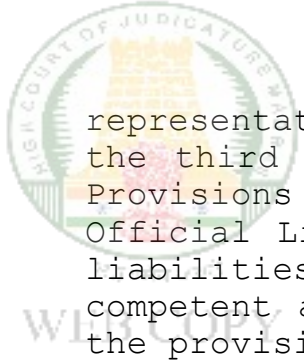
For Respondents

: Mrs.VPM.Vaishnavi,
Government Advocate

ORDER

The relief sought for in this writ petition is to quash the impugned order dated 08.11.2010, passed by the first respondent and direct the second respondent to disburse the terminal benefits to the writ petitioner.

2.The learned Counsel for the writ petitioner made submissions that the petitioner was an employee of a Co-operative Society. however, on retirement, the terminal and pensionary benefits due to the writ petitioner had not been settled. In this regard, he made



representation to the first respondent. It is pertinent to note that the third respondent Co-operative Society was liquidated under the Provisions of the Tamil Nadu Co-operative Societies Act and an Official Liquidator has been appointed to deal with the assets and liabilities of the Society and accordingly, the Liquidator is the competent authority to deal with the claim of the petitioner under the provisions of the Act.

3.This being the legal principles, it is left open to the writ petitioner to approach the Official Liquidator for the purpose of receiving his claim in respect of the retirement and pensionary benefits.

4.In this view of the matter, no further consideration is required in this writ petition. Accordingly, the writ petition stands disposed of. However, there shall be no orders as to costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

- 1.The Commissioner of Agriculture/
Registrar of Agro Engineering Services,
Chepuak, Chennai.
- 2.The Deputy Commissioner of Agriculture and
Deputy Registrar of Agro Engineering Services,
Tirunelveli.
- 3.The Special Officer,
TNSPL 224 Vasudevanallur Agro Engineering,
Services Co-Operative Society,
Vasudevanallur,
Tirunelveli District.

+1CC to Mr.K.Vinayagam, Advocate, SR.No. 45451
+1CC to the Special Government Pleader SR.No.45964

ORDER MADE IN
W.P (MD) No.1493 of 2011
31.01.2018

dsk

AM/SV MMS/SAR 3/15.02.2018/2P/6C