

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 21.02.2018**

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**W.P (MD) No.6415 of 2013**

S.Vadivel

... Petitioner

Vs

1. The Joint Registrar,
Tamilnadu Co-operative Societies,
Opposite to V.V.D.,
Thoothukudi,
Thoothukudi District.
2. The Deputy Registrar,
Tamilnadu Co-operative Societies,
Ettaiyapuram Road,
Kovilpatti, Thoothukudi District.
3. The Special Officer,
Tirunelveli Special-39,
Primary Agricultural Co-operative Bank,
(TNSPL-39), Akilandapuram,
Kovilpatti Taluk,
Thoothukudi District.
4. A.S.Murugan,
Secretary,
Tirunelveli Special-39,
Primary Agricultural Co-operative Bank,
(TNSPL-39), Akilandapuram,
Kovilpatti Taluk,
Thoothukudi District.
5. R.Suburaj (Clerk),
Tirunelveli Special-39,
Primary Agricultural Co-operative Bank,
(TNSPL-39), Akilandapuram,
Kovilpatti Taluk,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first and second respondents to take action against the 3rd to 5th respondents herein for misappropriation of the benefit of the petitioner's father.



For Petitioner : Mr.G.Gomathi Sankar
For R1 & R2 : Mr.V.P.M.Vaishnavi,
Government Advocate
For R3 to R5 : No appearance

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ORDER

The grievance of the writ petitioner is that his father was employed in the third respondent Cooperative Society. The terminal benefits due to the father of the writ petitioner was misappropriated by the respondents 3 to 5.

2.The father of the writ petitioner passed away on 09.06.2005. Thus, the writ petitioner was unable to approach the authorities immediately. However, later on, he came to understand that the terminal benefits due to the father of the writ petitioner had not been paid and entire amount had been misappropriated at the instance of the respondents 3 to 5. In this regard, the writ petitioner had submitted a representation to the first respondent on 26.07.2012 and no action has been taken. It is the duty to the Joint Registrar, certainly, to look into this kind of issues. Whenever the allegations are brought to the notice of the officials concerned, they are bound to look into this issues since the allegation of misappropriation is serious and more specifically, the misappropriated amount is a terminal benefit due to the retired employee of the co-operative society. However, in the absence of details, this Court cannot make any other findings in this regard.

3.Thus, the first respondent is directed to consider the representation submitted by the writ petitioner on 26.07.2012 and pass orders 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 petitioner is directed to enclose the copy of the representation and the documents, if any, along with the order passed in this writ petition.

4.Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Joint Registrar,
Tamilnadu Co-operative Societies,
Opposite to V.V.D.,
Thoothukudi, Thoothukudi District.



2. The Deputy Registrar,
Tamilnadu Co-operative Societies,
Ettaiyapuram Road,
Kovilpatti, Thoothukudi District.

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+1cc to Mr.G.Gomathi Sankar, Advocate Sr.No.50103
+1cc to Spl.Government Pleader Sr.No.50585

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VB/SKN/RSK/SAR1/02.03.2018/3P/5C

W.P(MD) No. 6415 of 2013
21.02.2018