

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.18468 of 2019

V. Pandian

..Petitioner

vs

1.The Joint Registrar of Cooperative Societies,
Cuddalore Region, Cuddalore,
Cuddalore District.

2.The Deputy Registrar of Co-Op.,
Societies, Chidambaram Circle,
Chidambaram, Cuddalore District.

3.The President,
E. 2676, Pichavaram Primary Agricultural
Co-op Credit Society,
Pichavaram & Post,
Chidambaram Taluk,
Cuddalore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondents to disburse the interest at the rate of 18 % for belated payment of retirement benefits after deducting already interest paid at the rate of 8 % for EPF and Security Deposit and pass orders.

For Petitioner : Mr. Prakasam C

For Respondents: Mr. L. P. Shanmugasundaram,
Spl. G.P. (Co-op)

O R D E R

The petitioner filed this Writ Petition seeking direction to the respondents to disburse the interest at the rate of 18 % for belated payment of retirement benefits after deducting already interest paid at the rate of 8 % for EPF and Security Deposit.

2. The case of the petitioner is that the petitioner was appointed as Clerk in the 3rd respondent society on 17.04.1978 and subsequently the petitioner was promoted as Secretary on 05.04.1989 and on 31.10.2014 the petitioner was relieved from the service on attaining superannuation, but on 31.10.2014 the 3rd respondent passed orders, whereby stated that there is enquiry under section 81 of Tami Nadu Coop. Societies Act is pending, hence the petitioner entire retirement benefits are withheld, but relieved from service in the 3rd respondent society. Thereafter benefits were settled in the year 2018. Thereafter the petitioner made a representation on 17.04.2019, to disburse the interest at the rate of 18 % for belated payment of retirement benefits after deducting already interest paid at the rate of 8% for EPF and Security Deposit but till date representation was not considered as against the inaction, the present Writ Petition is filed.

3. The learned counsel for the petitioner would submit that the petitioner is entitled to receive interest for belated payment of retirement benefits.

4. The learned counsel for the respondents would submit that there is no scheme for providing interest for belated payment of retirement benefits and filing a Writ petition for interest of belated payment is unsustainable one.

5. In my view, the petitioner could approach the appropriate authority under the relevant statutes seeking the relief relating to interest on the belated payment of terminal benefits. Hence, the Writ Petition stands dismissed. However, this order will not preclude the petitioner from approaching the concerned authorities under the relevant statute. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mrn

To

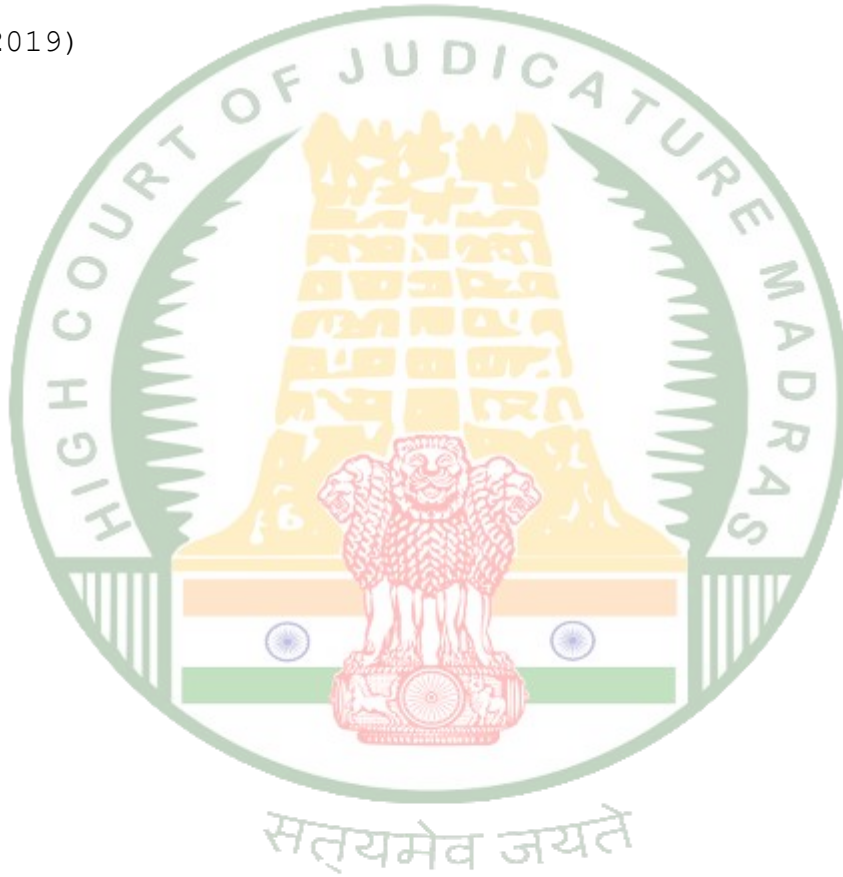
1. The Joint Registrar of Cooperative Societies,
Cuddalore Region, Cuddalore,
Cuddalore District.

2.The Deputy Registrar of Co-Op., Societies,
Chidambaram Circle, Chidambaram,
Cuddalore District.

+1cc to Mr. Prakasam C, Advocate SR.89337
+1cc to Mr. L. P. Shanmugasundaram, Advocate SR.89828
+1cc to Spl Government Pleader SR.8923

W.P.No.18468 of 2019

PM(CO)
CB(02/12/2019)



WEB COPY