

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.23333 of 2019

K.Makendran

.. Petitioner

Vs..

1.The Principal Secretary to Government,
State of Tamilnadu,
Fort St.George, Chennai - 600 009.

2.The Registrar,
Co-Operative Societies,
N.V.Natarajan Maligai,
No.170, E.V.R. Periyar High Road,
Kilpaukkam, Chennai - 10.

3.The Joint Registrar,
Co-Operative Societies,
Coimbatore Region,
K K Pudur, Coimbatore - 641 038.

4.The Deputy Registrar,
Co-Operative Societies,
Pollachi Circle,
Main Road, Pollachi - 642 001.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 2 to 4 to disburse the Gratuity, General Provident Fund, Special Provident Fund, Encashment of Earned Leave and Encashment of Unearned Leave on Private Affairs, within such time as may be stipulated by this Hon'ble Court.

For Petitioner : Mr.S.Thanka Sivan

For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader

O R D E R

The writ petition has been filed to seeking a writ of mandamus, to direct the respondents 2 to 4 to disburse the Gratuity, General Provident Fund, Special Provident Fund, Encashment of Earned Leave and Encashment of Unearned Leave on Private Affairs.

2. The case of the petitioner is that the petitioner was appointed as Group II Officer in the year 1986. Thereafter, the petitioner was promoted as Co-operative Sub-Registrar in the year 1995 and further promoted as Deputy Registrar on 30.06.2017. While the petitioner was working as Deputy Registrar of Co-operative Societies, he was placed under suspension on 23.06.2017 by the first respondent. Following the suspension order, the petitioner was not permitted to retire from service on 30.06.2017. Subsequently on 03.10.2017, the first respondent Authority vide its's order dated 03.10.2017 Ref.G.O.(D) No.187, Co-Operative, Food and Consumer Safety (CD2) Department had ordered and dropped proceedings in pursuant to Charge Memo Rc.No.338/2016/u1 dated 04.05.2016. On 04.10.2017, the first respondent Authority vide its's order dated 04.10.2017 Ref.G.O.(D) No.180, Co-Operative, Food and Counsumer Safety (CD2) Department had dropped proceedings in pursuant to Charge Memo Rc.No.486/2016/u1 dated 04.05.2016. Therefore, the petitioner made a representation to the respondents dated 12.10.2018, but till date his representation has not been considered by the respondents. Aggrieved by the same, the petitioner has filed the above writ petition.

3. The learned counsel for the petitioner would further submit that it would be suffice to issue a direction to the respondents to dispose of the representation in accordance with law.

4. Without expressing any opinion, I am inclined to issue direction to the respondents to consider the petitioner's representation dated 12.10.2018 and dispose of the same in accordance with law and in the light of the order passed by this Court in W.P.No.24921 of 2019 dated 13.09.2019, within a period of 12 weeks from the date of

receipt of a copy of this order. With the above direction,
the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

AT

To

1.The Principal Secretary to Government,
State of Tamilnadu,
Fort St.George, Chennai - 600 009.

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4.The Deputy Registrar,
Co-Operative Societies,
Pollachi Circle,
Main Road, Pollachi - 642 001.

+1cc to Mr..S.Thanka Sivan , Advocate SR.No. 83157

+1 cc to Government Pleader Sr.No. 83626

A.SK(07/11/2019)

W.P.No.23333 of 2019

सत्यमेव जयते

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