

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.26988 of 2019

C.Baby

..Petitioner

Vs..

1.The Assistant Director of Industries and Commerce,
(Industrial Co-operative Societies), Liquidator,
TAICO Bank Ltd.,
No.36, South Canal Bank Road,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai - 28.

2.Kanyakumari District Small Match Producers
Servie Industrial Co-operative Society Ltd.,
Thuckalay,
Kanyakumari District.
(Under liquidation).

.. Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus,
directing the first respondent to pay the petitioner, the
arrears of salary, the Gratuity and EPF benefits etc., as
claimed in petitioner's representation dated 15.03.2019, within
a stipulated time.

For Petitioner : Mr.P.Selvaraj

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

O R D E R

Mr.L.P.Shanmugasundaram, learned Special Government
Pleader, takes notice for the respondents.

2. By consent, the main writ petition itself is taken up
for final disposal at the admission stage itself.

3. The petitioner has filed the above writ petition to
issue a writ of mandamus, to direct the first respondent to pay
the petitioner, the arrears of salary, the Gratuity and EPF

benefits etc., as claimed in petitioner's representation dated 15.03.2019,

4. The case of the petitioner is that the petitioner is a Manager, in Kanyakumari District Small Match Producers Service Industrial Co-operative Society Limited at Thuckalay. The said society is under liquidation. The second respondent society is added as a formal party. Hence this writ petition is filed before this Court.

5. The learned counsel appearing for the petitioner would submit that after the liquidation, the first respondent promised to the petitioner, the arrears of Salary, Gratuity and pay the dues to the employees Provident Fund, by auctioning the immovable property belonging to the said second respondent Society. Therefore, the petitioner made a representation to the first respondent dated 15.03.2019, but till date his representation was not considered by the 1st respondent. Aggrieved by the same, the petitioner has filed the above writ petition.

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

7. Without expressing any opinion, I am inclined to issue direction to the respondents to consider the petitioner's representation dated 15.03.2019 and dispose of the same in accordance with law, 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.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1.The Assistant Director of Industries and Commerce,
(Industrial Co-operative Societies), Liquidator,
TAICO Bank Ltd.,
No.36, South Canal Bank Road,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai - 28.

+1 CC to Mr.P.Rajesh, Advocate sr 77628
+1 CC to Govt. Pleader sr 78414.

W.P.No.26988 of 2019

SP(04/11/2019)



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