

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30010 of 2019

U.Natesan

... Petitioner

Vs.

- 1.The Registrar of Co-operative Societies,
N.V.N.Maligai, 170, Periyar EVR High Road,
Kilpauk,
Chennai-600 010
 - 2.The Joint Registrar of Cooperative Societies,
Dharmapuri Region,
Dharmapuri
 - 3.The Deputy Registrar of Cooperative Societies,
Dharmapuri,
Dharmapuri District
 - 4.The Special Officer,
K.K.114 Ilakkiyampatti Primary Agriculture Cooperative
Credit Society,
Ilakkiyampatti,
Vinnampatti, Collectorate Post,
Dharmapuri-5
- ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to settle retirement benefits to the Petitioner including EPF, Gratuity and Leave Salary along with interest for delay in payment by passing appropriate orders on the Revision Petition pending before the 2nd respondent dated 14.10.2013 with all consequential and other attendant benefits, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader (Co-op)

O R D E R

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

2.The case of the petitioner is that he was initially appointed as Secretary in the fourth respondent Bank on 01.11.1978 and retired on 28.02.2007 on reaching the age of superannuation. While so, the petitioner was issued with an order of recovery dated 08.06.2007. Subsequently, the third respondent initiated surcharge proceedings as against the petitioner surcharge order was passed. Thereafter he preferred appeal before the Cooperative Tribunal and the same is pending. Till date, the eligible pension and other terminal benefits have not been given. Challenging the surcharge proceedings, he filed W.P.No.21679 of 2013 and this Court issued direction to the petitioner to file a revision petition before the Joint Registrar of Cooperative Societies under Section 153 of the Tamil Nadu Cooperative Societies Act and the petitioner filed revision petition dated 14.10.2013 but till date the same has been not considered. Hence, the petitioner has filed the present petition.

3.Heard both sides.

4.The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the second respondent to consider the revision petition of the petitioner dated 14.10.2013 and pass orders, within a stipulated time fixed by this Court.

5.Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, directs the second respondent to consider the revision petition dated 14.10.2013 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6.With the above direction, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The Registrar of Co-operative Societies,
N.V.N.Maligai, 170, Periyar EVR High Road,
Kilpauk,
Chennai-600 010

2.The Joint Registrar of Cooperative Societies,
Dharmapuri Region,
Dharmapuri

3.The Deputy Registrar of Cooperative Societies,
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4.The Special Officer,
K.K.114 Ilakkiyampatti Primary Agriculture Cooperative
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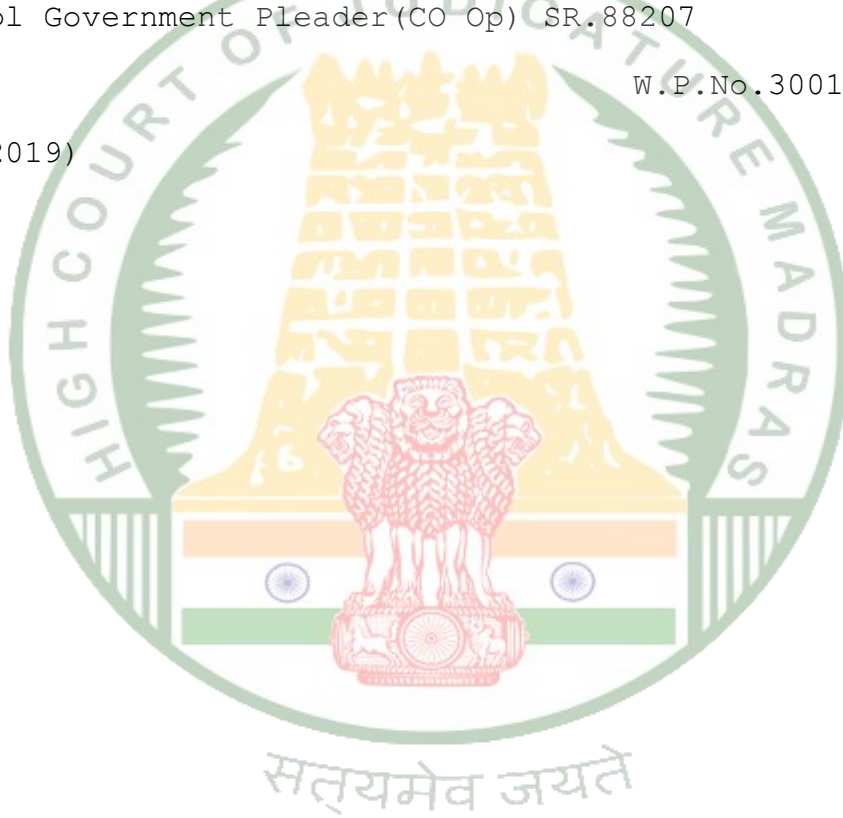
+lcc to Mr.G.Sankaran, Advocate SR.88018

+lcc to Mr.L.P.Shanmugasundaram, Advocate SR.88101

+lcc to Spl Government Pleader (CO Op) SR.88207

W.P.No.30010 of 2019

RSI (CO)
CB (28/11/2019)



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