

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No. 30381 of 2019

R. Bakthavachalu

... Petitioner

Vs.

1. The Liquidation Officer Avl.,
Thirukovilur Taluk,
Co-op.Housing Society Ltd., (Liquidated),
Office of the Deputy Registrar of
Co-op. Housing Society,
South Kavari Naidu Street,
Manjakuppam & Post, Cuddalore.
2. The Deputy Registrar of Co-op.Housing
Societies,
South Kavari Naidu Sreet,
Manjakuppam & Post, Cuddalore.
3. The Managing Director,
The Tamil Nadu Co-operative Housing
Federation Limited,
No. 40, Ritherdon Road,
Vepery, Chennai - 600 007.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the First Respondent to dispose the Petitioner's representation dated 17.06.2019 and to dispose the same on the merits in accordance with law within a stipulated time.

For Petitioner : Ms. S. Sairaman

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

O R D E R

The Petitioner has filed this writ petition, seeking for issuance of a Writ of Mandamus, to direct the First Respondent to dispose the Petitioner's representation dated 17.06.2019 and

to dispose the same on the merits in accordance with law within a stipulated time.

2. Heard the learned counsel appearing for the Petitioner and the learned Special Government Pleader appearing for the Respondents.

3. The case of the Petitioner is that he is working as Secretary in charge in the First Respondent Society till the date of liquidation. The institution was suddenly liquidated by the Second Respondent on 07.02.2018 and the Second Respondent transferred the Petitioner to other society for further service. But he does not want to continue his service in that institution due to its weak financial position. Hence , he made a representation to the Respondents to relieve him from the post and settle all his terminal benefits. Thereafter, the Third Respondent settled terminal benefits partially by issuing two cheques for a sum of Rs.5,73,096/- and Rs.4,02,556/- only. However, according to the Petitioner, a total sum of Rs.23,00,000/- is due payable to the Petitioner towards his terminal benefits. Therefore, he made a representation on 17.06.2019 to the Respondents to settle the remaining portion of terminal benefits. However, since the same has not been considered till date, the Petitioner is before this Court.

4. The learned counsel appearing for the Petitioner would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the First Respondent to dispose the Petitioner's representation dated 17.06.2019 and to pass appropriate orders.

5. Considering the limited request made by the learned counsel appearing for the Petitioner, I am inclined to issue direction to the First Respondent to consider the Petitioner's representation dated 17.06.2019, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. No costs.

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Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Liquidation Officer Avl.,
Thirukovilur Taluk,
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+lcc to Mr.S.Sairaman, Advocate Sr.89342
+lcc to the Special Government Pleader sr.89622
+lcc to Mr.L.P.Shanmugasundaram, Advocate Sr.89830

W.P. No. 30381 of 2019

vg I[co]
srg 04/12/2019

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