

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 14.11.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.30840 and 6375 of 2019

K.Anandan

.. Petitioner in both W.P's

vs

1.The Registrar of Co-operative Societies(Housing),
No.48, Ritherton Road,
Vepery, Chennai-600007.

2.The Deputy Registrar of Co-operative
Societies (Housing),
South Kavarai Street,
Manjakuppam, Cuddalore-607001.

3.The President,
Virudhachalam Taluk,
Cooperative Housing Society,
Kattukudalur Main Road,
Virudhachalam-606 001.

.. Respondents in both W.P's

Prayer in W.P.No.30840 of 2019: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the Petitioner's representation dated 13.10.2019 and issue the petitioner's letter of retirement.

Prayer in W.P.No.6375 of 2019: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay petitioner all benefits payable on his retirement.

For Petitioner : Mrs.S.Varsha
[in both WP's]

For Respondents 1-2

: Mr.L.P.Shanmugasundaram
[in both WP's] Special Government Pleader

For Respondent 3 : Mr.M.S.Palanisamy
[in both WP's]

C O M M O N O R D E R

The case of the petitioner is that the petitioner joined service as a typist in the third respondent society on 30.11.1988. Subsequently, he was posted as typist-cum-clerk and further promoted to the post of Supervisor. While being so, the petitioner attained the age of superannuation on 31.05.2018. Though he attained age of superannuation, he was informed by the second and third respondents to continue his service for the next three months from the date of superannuation without any pay. The petitioner was also informed that if he did not accede the request of the second and third respondents, his retirement benefits would not be given.

2. The grievance of the petitioner is that even though he worked for period of three months after the date of his superannuation without any pay, his letter of retirement and retirement benefits is still pending. Hence, he sent a representation dated 19.11.2018 to the first respondent requesting him to direct the second and third respondents to release his retirement benefits. He also sent a reminder dated 19.12.2018 to the first respondent regarding the same. Thereafter, the petitioner has further made a representation to the respondents dated 13.10.2019, requesting them to release his retirement benefits. Since, no action is forthcoming from the respondents, the petitioner is before this Court filing the present Writ Petition.

3. The learned counsel for the petitioner would submit that there is no disciplinary proceedings pending against the petitioner and he is rightfully eligible for availing his retirement benefits. Hence, it would suffice to issue direction to the respondents to dispose of the representation made by the petitioner on 13.10.2019, in accordance with law.

4. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue a direction to the respondents to dispose of the representation dated 13.10.2019, if not disposed of already, within a period of twelve (12) weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petitions are disposed of. No costs.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1.The Registrar of Co-operative Societies (Housing),
No.48, Ritherton Road,
Vepery, Chennai-600007.

2.The Deputy Registrar of Co-operative
Societies (Housing),
South Kavarai Street,
Manjakuppam, Cuddalore-607001.

+1 cc to Mr.M.S.Palanisamy Advocate sr95427
+2 ccs to MS.S.Varsha Advocate sr94898
+1 cc to Special Government pleader (Co-OP)
High Court Madras-104 sr95086

W.P.No.30840 of 2019

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