

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 18.12.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.34985 of 2019

Tmt.Mageswari

... Petitioner

-Vs-

- 1.The Joint Registrar of Co-operative Societies,
Udakamandalam,
Nilgiri District.
- 2.The Administrator,
The Nilgiri District Plantation Worker's Co.Op.,
Thrift & Credit Society Ltd., No.J.188,
Raman Nair Building, Rokeby,
Coonoor-643 101.
- 3.The President,
The Nilgiris District Plantation Workers',
Co.Op. Thrift & Credit Society Ltd.,
Head Office, Raman Nair Building,
Rokeby, Coonoor-1.
- 4.The Assistant Secretary,
The Nilgiris District Plantation Workers'
Co.Op. Thrift & Credit Society Ltd.,
Head Office, Raman Nair Building,
Rokeby, Coonoor-1.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to dispose the petitioner's appeal dated 16.08.2019 within a stipulated period of time and disburse the retirement benefits of the petitioner.

For Petitioner : Mr.B.Sundarapandiyan

For Respondents : Mr.Bala Ramesh
Special Government Pleader

O R D E R

This writ petition has been filed for issuance of Writ of Mandamus directing the first respondent to dispose of the appeal that has been filed by the petitioner on 16.08.2019, within a stipulated time.

2.It is seen from records that disciplinary proceedings were initiated against the petitioner and the petitioner had challenged the punishment in W.P.No.13917 of 2017 and this Court by an order dated 14.12.2018 had directed the Society to reinstate the petitioner with all consequential benefits. The petitioner attained superannuation during April 2019. The grievance of the petitioner is that his retirement benefits have not been properly calculated and he has made a representation to the respondents in that regard. The petitioner also filed W.P.No.20725 of 2019 before this Court and this Court by an order dated 15.07.2019, directed the petitioner to workout his remedy by filing a revision petition under Section 153 of the Co-operative Societies Act, 1983, before the first respondent. The petitioner has also filed a revision petition with delay. Since the same has not been taken for consideration, the present writ petition has been filed before this Court.

3.Heard Mr.B.Sundarapandian, learned counsel appearing on behalf of the petitioner and Mr.Bala Ramesh, learned Special Government Pleader, appearing on behalf of the respondents and perused the materials available on record.

4.Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for by the petitioner in this writ petition, there shall be a direction to the first respondent to consider the petition filed by the petitioner under Section 153 of the Co-operative Societies Act, which has been filed along with condone delay petition on 16.09.2019. The petition shall be considered on its own merits and in accordance with law and the first respondent shall pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

5.This writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

- 1.The Joint Registrar of Co-operative Societies,
Udakamandalam,
Nilgiri District.
- 2.The Administrator,
The Nilgiri District Plantation Worker's Co.Op.,
Thrift & Credit Society Ltd., No.J.188,
Raman Nair Building, Rokeby,
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- 3.The President,
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Head Office, Raman Nair Building,
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- 4.The Assistant Secretary,
The Nilgiris District Plantation Workers'
Co.Op. Thrift & Credit Society Ltd.,
Head Office, Raman Nair Building,
Rokeby, Coonoor-1.

+1cc to Mr.R.Balaramesh, Advocate, S.R.No.105903
+1cc to Mr.B.Sundarapandian, Advocate, S.R.No.105107
+1cc to the Government Pleader, S.R.No.106236

W.P.No.34985 of 2019

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