

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2019

CORAM:

THE HONOURABLE DR..JUSTICE S.VIMALA

WP.No.34611 of 2018

V.Venkataraman
Petitioner

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Vs

- 1.The President, ZA7A Sholanganallur Primary
Agricultural Cooperative Bank Limited (Credit Society)
Amoor Post 610 101, Tiruvarur
- 2.The Secretary, ZA7A Sholanganallur Primary
Agricultural Cooperative Bank Limited (Credit Society)
Amoor Post 610 101, Tiruvarur
- 3.The Deputy Registrar of Cooperative Societies
Tiruvarur
- 4.The Joint Registrar of Cooperative Societies
Tiruvarur
- 5.The Assistant Commissioner, EPF Organisation
Tiruchy 620008
Respondents

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Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the 1st Respondent to consider and pass orders, on the representation of the Petitioner, seeking retirement benefits, dated 24.05.2017, within a time frame to be fixed by this Court.

For Petitioner : Mr.V.Chandrasekaran

For Respondents : Mr.D.Venkatachalam

ORDER

By consent of the learned counsel on either side, this Writ Petition is taken up for final disposal, at the admission stage itself. Mr.D.Venkatachalam, learned counsel takes notice for the Respondents.

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. The prayer in this Writ Petition is to direct the 1st Respondent to consider and pass orders, on the representation of the Petitioner, seeking retirement benefits, dated 24.05.2017, within a time frame to be fixed by this Court.

4. The case of the Petitioner is that the Petitioner was working as the Secretary of the 1st Respondent Society and a criminal case was initiated against one K.Suresh, Salesman for shortfall of rice under PDS. In the complaint, the name of the Petitioner was not found. However, the Petitioner was arrayed as A2, for want of supervision. In the mean while, the Petitioner was permitted to retire subject to the outcome of the criminal case, by order dated, 31.3.2011. The criminal case in CC.Nos.772, 773 and 774 of 2005, on the file of the Judicial Magistrate, Tiruvarur had ended in acquittal, by judgement dated 31.3.2015. Even thereafter, the retirement benefits were not given to the Petitioner. Hence, the Petitioner had sent a representation dated 24.05.2017, seeking retirement benefits. Since the said representation is not considered so far, this Writ Petition has been filed, seeking the relief as stated above.

5. The learned counsel for the Respondents would submit that the said representation of the Petitioner will be considered and disposed of, on merits and in accordance with law, within a time to be fixed by this Court.

6. Having regard to the facts and circumstances of the case and considering the limited scope of the prayer, as sought for in this Writ Petition, without going into the merits of the case, the Respondents 1 and 2 are directed to consider the representation of the Petitioner, dated 24.05.2017 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Srcm

To

- 1.The President, ZA7A Sholanganallur Primary
Agricultural Cooperative Bank Limited (Credit Society)
Amoor Post 610 101, Tiruvarur
 - 2.The Secretary, ZA7A Sholanganallur Primary
Agricultural Cooperative Bank Limited (Credit Society)
Amoor Post 610 101, Tiruvarur
 - 3.The Deputy Registrar of Cooperative Societies
Tiruvarur
 - 4.The Joint Registrar of Cooperative Societies
Tiruvarur
 - 5.The Assistant Commissioner, EPF Organisation
Tiruchy 620008
- +1 cc to M/s.V.Chandrasekaran, Advocate SR.No.1936
+1 cc to The Government Pleader, SR.No.1910

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KJ(CO)
CSL/08.02.2019

सत्यमेव जयते

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