



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.(MD)No.5489 of 2019

L.Sethu

... Petitioner

Vs.

- 1.The Secretary to Government,
Cooperation, Food and Consumer Protection Dept.,
Fort St. George,
Chennai - 600 009.
 - 2.The Registrar of Cooperative Societies,
N.V.Natarajan Maaligai,
170 Periyar EVR High Road,
Kilpauk, Chennai - 600 010.
 - 3.The Joint Registrar of Cooperative Societies,
Chinna Chokkikulam,
Madurai Region,
Madurai - 625 002.
 - 4.The Deputy Registrar,
Cooperative Societies Madurai Circle,
Krishnavayar Tank Road,
Old RDCC Bank Building,
Madurai - 01.
 - 5.The President,
A2929, Periyapatti Primary Agriculture
Cooperative Credit Society,
Kanjarampettai Post,
Madurai - 14.
- ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the retirement monetary and attendant benefits such as Provident Fund, Gratuity, Surrender and earned leave salary due to the petitioner within a time frame fixed by the Court along with Statutory interest for the belated payment from the date of retirement to till the date of disbursement by the respondents thereon.

For Petitioner

: Mr.A.Balasubramanian

For R1 to R4

: Mr.V.Anand

Government Advocate

: Mr.C.Ramar

Additional Government Pleader

**ORDER**

Seeking a direction to the respondents to disburse the terminal benefits, the petitioner is before this Court.

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2. Heard the learned counsel for the petitioner; the learned Government Advocate for the respondents 1 to 4 and the learned Additional Government Pleader for the fifth respondent. By consent, the writ petition itself is taken up for final disposal at the stage of admission.

3. The case of the petitioner is that he served as a Clerk in the fifth respondent society and retired from service on 31.03.2012. Since the entire terminal benefits, such as, provident fund arrears, gratuity, earned leave salary etc., have not been paid, the petitioner made a representation dated 01.09.2018 to the respondents seeking such benefits and the same has not been considered so far. Hence, this writ petition has been filed.

4. The learned Government Advocate for the respondents 1 to 4 and the learned Additional Government Pleader for the fifth respondent, on instructions, submitted that the representation of the petitioner would be considered on merits and appropriate orders be passed.

5. In view of the above submission, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner dated 01.09.2018, seeking terminal benefits and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-

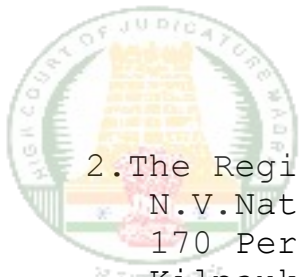
Assistant Registrar (W)

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Sub Assistant Registrar (CS)

To

1. The Secretary to Government,
Cooperation, Food and Consumer Protection Dept.,
Esplanade, Chennai - 600 009.



2.The Registrar of Cooperative Societies,
N.V.Natarajan Maaligai,
170 Periyar EVR High Road,
Kilpauk, Chennai - 600 010.

WEB COPY

3.The Joint Registrar of Cooperative Societies,
Chinna Chokkikulam,
Madurai Region, Madurai - 625 002.

4.The Deputy Registrar,
Cooperative Societies Madurai Circle,
Krishnavayar Tank Road,
Old RDCC Bank Building,
Madurai - 01.

5.The President,
A2929, Periyapatti Primary Agriculture
Cooperative Credit Society,
Kanjarampettai Post,
Madurai - 14.

+1 CC to M/s.K.BALASUBRAMANIAN, Advocate (SR-52550[F] dated
08/03/2019)

+1 CC to M/s.SPL GP (SR-53071,53386[F] dated 11/03/2019)

MJ

W.P. (MD) No.5489 of 2019
08.03.2019

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