



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.6737 of 2019

1.S.Sonai Muthu
2.N.Sekar
3.P.Periyasamy

... Petitioners

Vs.

1.The Joint Registrar of Co-operative Society,
Ramanathapuram.

2.The Deputy Registrar of Co-operative Society,
Paramakudi,
Ramanathapuram District.

3.The President/Managing Director,
Paramakudi Co-operative Sales Society,
Paramakudi,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to pay surrender of earned leave salary to the petitioners within the time frame fixed by this Court.

For Petitioners : Mr.S.Kumar

For RR 1 & 2 : Mr.S.Angappan,
Government Advocate.

For R - 3 : Mr.S.Dhayalan

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to pay surrender of earned leave salary to the petitioners within a time frame fixed by this Court.

2.Heard Mr.S.Kumar, learned Counsel appearing for the petitioner, Mr.S.Angappan, learned Government Advocate, who takes notice for the respondents 1 and 2 and Mr.S.Dhayalan, learned counsel, who takes notice for the third respondent. By consent, the writ petition is taken up for disposal at the admission stage itself.



3.The learned counsel appearing for the petitioners submitted that the petitioners were serving as salesmen in the Co-operative Society and they retired from service. They were disbursed all the terminal benefits, except surrender of earned leave salary. Hence, they made representations, dated 03.01.2019 to the respondents seeking payment of surrender of earned leave salary and the same are pending without consideration. Hence, this writ petition has been filed.

4.The learned Government Advocate appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent submitted that the representations of the petitioners would be considered on merits.

5. Considering the nature of relief sought for by the petitioners, this Court, without going into the merits of the petitioners' case, directs the respondents to consider the representation of the petitioners, dated 03.01.2019, seeking payment of surrender of earned leave salary and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioners, within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Joint Registrar of Co-operative Society,
Ramanathapuram.

2.The Deputy Registrar of Co-operative Society,
Paramakudi, Ramanathapuram District.

3.The President/Managing Director,
Paramakudi Co-operative Sales Society,
Paramakudi, Ramanathapuram District.

+1CC TO Mr.S.Kumar, Advocate, Sr No.55574

+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.56120

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