



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2019

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P(MD)No.3876 of 2015

Devarajan

... Petitioner

Vs

1.E.E.449, Vellore Puthukudi

Primary Agriculture Co-operative Credit Society,  
Srivaikundam,  
Tuticorin District.  
Represented by its President.

2.The Deputy Registrar of Co-operative Societies,  
Tuticorin,  
Tuticorin District.

3.The Joint Registrar of Co-operative Societies,  
Tuticorin,  
Tuticorin District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the claim of the petitioner for retirement benefits and the entire amount due to him in accordance with the law within a period that may be fixed by this Court.

For Petitioner : Mr.V.Kannan  
For R1 to R3 : Mr.M.Jeyakumar  
Additional Government Pleader

**ORDER**

The order of Joint Registrar, Co-operative Society, Tuticorin District in proceeding dated 5.6.2014 has stated that there is a financial crisis in the first respondent co-operative society. On account of the financial crisis, terminal benefits are partly settled to the petitioner and the balance will be settled soon after the revival of the financial condition of the first respondent's co-operative society. However, co-operative societies are not funded by the Government. Co-operative societies are administered by the Board of Directors and in their absence by the Special Officer. Thus, this Court cannot direct the Government to settle the terminal benefits. The terminal benefits are to be settled from and out of the funds of the co-operative society and in the event of non availability of the funds then the society is to be liquidated under the provisions of the Tamil Nadu Co-operative Societies Act.



2. Under these circumstances, the respondents 2 and 3 are bound to initiate steps to assess the financial condition of the co-operative society and initiate suitable proceedings under the provisions of the Tamil Nadu Co-operative Societies Act.

3. With these observations, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (AD-II)

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Sub Assistant Registrar (CS )

To

1. E.E.449, Vellore Puthukudi  
Primary Agriculture Co-operative Credit Society,  
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Tuticorin District.  
Represented by its President.

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Tuticorin District.

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Tuticorin,  
Tuticorin District.

+1 CC to SPL GP SR-73242.

**W.P(MD) No. 3876 of 2015**

**02.07.2019**

CS: (10/07/2019) 3P 5C