



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

Dated: **09.08.2019**

CORAM:

**THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU  
and  
THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

**W.A. (MD)No.770 of 2019  
and  
C.M.P. (MD) No.6802 of 2019  
Against W.P. (MD) No.17354 of 2016**

The President,  
A 2953, The Primary Agricultural  
Cooperative Credit Society,  
Katchakatti Post,  
Ramayanpatti,  
Madurai District.

... Appellant/2<sup>nd</sup> Respondent

Vs.

1) S.Rengasamy

... 1<sup>st</sup> Respondent/ Petitioner

2) The Joint Registrar of  
Cooperative Societies,  
Madurai Region,  
Madurai.

... 2<sup>nd</sup> Respondent/1<sup>st</sup> Respondent

**PRAYER:** Writ Appeal is filed under Clause 15 of Letters Patent Act against the order made in W.P.(MD) No.17354 of 2016 dated 07.12.2018.

Prayer in WP(MD). 17354 of 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to pay the entire retirement benefits Rs. 8,04,766/- (i.e. Rs. 7,89,766 /- from Provident Fund and Rs. 15,000/- from Gratuity) to the petitioner along with interest, within stipulated time may be fixed by this Honble Court, based on the petitioner's representations dated 04.06.2016 and 07.09.2016.

For Appellant : Mr.S.Kumar

<https://hcservices.ecourts.gov.in/hcservices/> For Respondents : Mr.S.Ayyanar Prem Kumar



**J U D G M E N T**

(Judgment of the Court was made by **K.RAVICHANDRABAABU, J.**)

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1. This Writ Appeal is directed against the order passed by the Writ Court in W.P.(MD) No.17354 of 2018 dated 07.12.2018.

2. The Appellant is the second Respondent before the Writ Court. The Writ Petition was filed seeking for a Mandamus directing the respondents to pay the entire retirement benefits Rs.8,04,766/- (i.e.Rs.7,89,766/- from Provident Fund and Rs.15,000/- from Gratuity) to the petitioner along with interest, within stipulated time that may be fixed by this Court, based on the petitioner's representation dated 04.06.2016 and 07.09.2016.

3. The Appellant as the second Respondent before the Writ Court submitted that only due to financial crunch faced by the respondent Society, they were not able to pay the retirement benefits and therefore, if some time frame is given, the money will be paid in installments. Taking note of such submissions made by the respondent Society, the Writ Court disposed the writ petition by directing the respondents therein to disburse the retirement benefits within a period of two months from the date of receipt of a copy of the said order.

4. The Writ Court also took note of the fact that the writ petitioner is deprived of the monetary benefits for the past more than three years. The writ petition is of the year 2016 and now, we are in the year 2019. Even after a period of six years, now, the present appeal is filed only for seeking further time to make such payments. We do not find any justification on the part of the Appellant in seeking time again and again both before the Writ Court as well as the Appellate Court. Therefore, we find no reason to interfere with the order passed by the Writ Court. Accordingly, the Writ Appeal is dismissed. No costs. Consequently, connected C.M.P. (MD) No.6802 of 2019 is closed.

Sd/-

Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar

To

The Joint Registrar of  
Cooperative Societies,  
Madurai Region,  
Madurai.



+1 CC to M/s.S.AYYANAR PREM KUMAR, Advocate ( SR-81064[F] dated 09/08/2019 )

+1 CC to M/s.S.KUMAR, Advocate ( SR-81268[F] dated 13/08/2019 )

+1 CC to M/s.SPL GP ( SR-81509[F] dated 13/08/2019 )

Judgment made in  
**W.A. (MD) No. 770 of 2019**

Dated:  
**09.08.2019**

sts

JM/03.09.2019/3P/5C