



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2019

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.15993 of 2019

H.Suresh Kumar

...Petitioner

Vs.

1.The Joint Registrar of Co-operative Societies,
Sivagangai Region,
Sivagangai,
Sivagangai District.

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

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent, ie., the Joint Registrar of Co-operative Societies, Sivagangai Region, Sivagangai, Sivagangai District to take immediate action to disburse the encashment of leave salary and special provident fund of the petitioner contribution within a specified time frame that may be fixed by this Court.

For Petitioner :Mr.S.Visvalingam

For Respondents :Mr.M.Pandiarajan

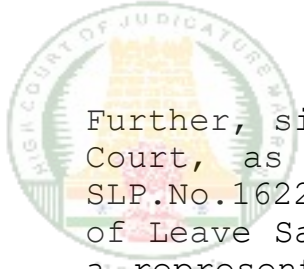
Additional Government Pleader

ORDER

This writ petition has been filed to direct the first respondent to take immediate action to disburse the encashment of Leave Salary and Special Provident Fund of the petitioner contribution.

2.Mr.M.Pandiarajan, learned Additional Government Pleader takes notice for the respondents. By consent, this writ petition is taken up for disposal at the admission stage itself.

3.According to the petitioner, he was working as Co-operative Sub Registrar/Filed Officer, Sivagangai and his date of superannuation was on 31.12.2018. However, pursuant to the criminal case in Cr.No.3 of 2014, by order dated 27.12.2018, he was placed under suspension and was not allowed to retire from service.



Further, since the said case against him is pending before the trial Court, as per the order passed by the Hon'ble Supreme Court in SLP.No.16229 of 2016 dated 06.07.2017, he is entitled to encashment of Leave Salary and Special Provident Fund. In this regard, he made a representation to the respondents on 10.06.2019. But, no action has been taken till date. Hence, he is before this Court for the relief as stated above.

4.In reply, the learned Additional Government Pleader appearing for the respondents would submit that the petitioner's representation dated 10.06.2019 would be considered as expeditiously as possible on merits and in accordance with law.

5.In the light of the above said submissions made by the learned Additional Government Pleader, without expressing any opinion on the merits of the case, this Court directs the first respondent to consider the petitioner's representation dated 10.06.2019 and take a decision, 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 is disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Joint Registrar of Co-operative Societies,
Sivagangai Region,
Sivagangai,
Sivagangai District.

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

+1 CC to M/s.SPL GP (SR-76403[F] dated 19/07/2019)
+1 CC to M/s.S.VISVALINGAM, Advocate (SR-76061[F] dated
18/07/2019)

W.P. (MD) No.15993 of 2019

MM

<https://hcservices.ecourts.gov.in/hcservices/>

KK/SAR/29.07.2019/2P-5C