



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2019

C O R A M

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CONT.P.(MD)No.1409 of 2019 in
W.P.(MD)No.2499 of 2018

P.Vairam

... Petitioner/
Petitioner

Vs.

1. D.Rajendran,
The Deputy Registrar of Co-operative Societies,
Deputy Registrar's Office,
Pudukkottai District.
2. A.Ramaiah,
The Secretary (Now the post of President
dissolved), No.15, Perungaloor Primary
Agricultural Cooperative Credit Society,
Perungaloor, Pudukkottai District. ... Contemnors/
Respondents

Prayer: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971, to initiate contempt proceedings against the contemnors/respondents and punish them for the willful and partial disobedience of the order of this Court in W.P.(MD)No.2499 of 2018 dated 09.03.2018 and order to the contemnors/respondents to disburse the balance amount of retirement benefits of Rs.13,07,728/- to the petitioner immediately.

Prayer in WP(MD) . 2499/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the 2nd Respondent to comply with the proceedings of the 1st Respondent in his Na.ka/1603/2014 Thittam dated 26.08.2015 to disburse the payable amount of the petitioners husband namely late Palanisamy his Surrendered leave salary, bonus, increment arrears & LIC Amount and other benefits based on the representation dated 06.10.2017 to the petitioner within the time limit that may be stipulated by this Honble Court.

For Petitioner : Mr.S.Muthuvel



For Respondent : Mr.M.Rajarajan,
Government Advocate(Crl.Side).

O R D E R

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The petitioner's husband was employed in the second respondent society. He passed away in the year 2017. The grievance of the petitioner is that the amount payable to the petitioner on account of her husband's demise was not disbursed. In fact the first respondent had issued proceedings in this regard to the second respondent. Following its noncompliance, W.P.(MD)No.2499 of 2018 came to be filed. By order dated 09.03.2018, this Court directed the second respondent to disburse the amount payable to the petitioner in respect of her husband. Contending that the said order has not been complied with, the Contempt petition came to be filed.

2. When the matter was taken up for hearing, the learned Government Advocate(Criminal Side) pointed out that a sum of Rs.8,55,672/- was already paid to the petitioner herein. However, the petitioner submitted that the amount due to her is Rs.21 Lakhs. What was paid is only a portion of the said amount.

3. It is seen that the writ petition was filed only in the year 2018. The writ petition was disposed of on 09.03.2018 itself. In my order, I have not quantified the amount payable to the petitioner. If there is a dispute regarding quantum, then there will have to be an adjudication afresh.

4. Therefore, giving liberty to the petitioner to file a fresh writ petition, this Contempt petition stands closed.

Sd/-

Assistant Registrar (CO)

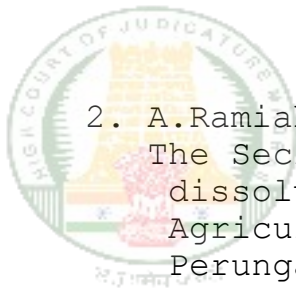
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Sub Assistant Registrar(CS)

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TO

1.D.Rajendran,
The Deputy Registrar of Co-operative Societies,
Deputy Registrar's Office,
Pudukkottai District.



2. A.Ramiah,
The Secretary(Now the post of President
dissolved), No.15, Perungaloor Primary
Agricultural Cooperative Credit Society,
Perungaloor, Pudukkottai District.

+1 CC to M/s.S. MUTHUVEL, Advocate (SR-90717[F] dated 01/10/2019)

+1 CC to M/s.GP (SR-91207[F] dated 03/10/2019)

CONT.P.(MD)No.1409 of 2019 in
W.P.(MD)No.2499 of 2018
01.10.2019

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KK/SAR/14.10.2019/3P-5C/