



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. [MD] No. 5142 of 2016

and

W.M.P. (MD) No. 4599 of 2016

WEB COPY

T. Arunachalam

: Petitioner

Vs.

1. The Regional Joint Registrar,
O/o. Regional Joint Registrar of Co-operative Societies,
Thirunelveli Region,
Thirunelveli.
2. The Deputy Registrar of Co-operative Societies,
Cheranmahadevi Circle,
Cheranmahadevi.
3. The President,
Aladiyur Primary Agriculture Co-operative
Societies Credit Society Ltd., Aladiyur,
Ambasamudram Taluk,
Thirunelveli District.
4. The Secretary,
Aladiyur Primary Agriculture Co-operative
Societies Credit Society Ltd., Aladiyur,
Ambasamudram Taluk,
Thirunelveli District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the third and fourth respondents to pay retirement benefits for a sum of Rs.9,83,495/- (Rupees Nine Lakh Eighty Three Thousand Four Hundred and Ninety Five only) with interest at the rate of 12% per annum to the petitioner and the third and fourth respondents to consider the petitioner's representation dated 11.02.2014.

For Petitioner

: Mr. K. K. Samy

For Respondents

: Mr. C. M. Mari Chellaiah Prabhu,
Additional Government Pleader

O R D E R

The petitioner has filed the present Writ Petition seeking retirement benefits with interest at the rate of 12% per annum, by considering his representation dated 11.02.2014.



2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing on behalf of the respondents.

3. The grievance of the petitioner is that he was appointed as Secretary in the third and fourth respondents Society on 16.10.1978. Subsequently, by proceedings dated 30.09.2011, he was allowed to retire from service, but, his retirement benefits were not disbursed. Therefore, he has made a representation to the first respondent, for which, the second respondent, by letters dated 16.08.2012 and 17.09.2012, directed the petitioner to appear before him for hearing. But, despite appearance and representation, his retirement benefits were not settled so far. Therefore, seeking consideration of his representation dated 11.02.2014 and retirement benefits, he has come up with the present Writ Petition.

4. The learned Additional Government Pleader appearing on behalf of the respondents submits that the representation of the petitioner dated 11.02.2014 would be considered on merits within the time stipulated by this Court.

5. Considering the limited nature of the relief that has been sought for by the petitioner in the present Writ Petition and having regard to the submission made by the learned Additional Government Pleader appearing on behalf of the respondents, this Court, without going into the merits of the case, directs the third and fourth respondents to consider the representation of the petitioner dated 11.02.2014, if not considered earlier and pass appropriate orders on merits and in accordance with law, after due opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (w)

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Sub Assistant Registrar (CS)

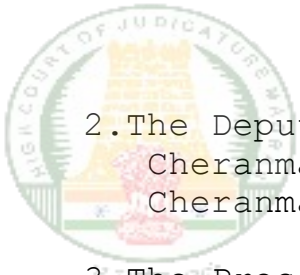
To

1. The Regional Joint Registrar,

O/o. Regional Joint Registrar of Co-operative Societies,

Thirunelveli Region,

Thirunelveli.



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

3.The President,
Aladiyur Primary Agriculture Co-operative
Societies Credit Society Ltd., Aladiyur,
Ambasamudram Taluk,
Thirunelveli District.

4.The Secretary,
Aladiyur Primary Agriculture Co-operative
Societies Credit Society Ltd., Aladiyur,
Ambasamudram Taluk,
Thirunelveli District.

+1 CC to M/s.K.K.SAMY, Advocate (SR-57046[F] dated 27/03/2019)

+1 CC to M/s.SPL GP (SR-57179[F] dated 27/03/2019)

sml

Order made in
W.P. [MD] No.5142 of 2016
26.03.2019

_KM/ (07.05.2019) 3P 7C