



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.19046 of 2015

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P.Kumaraiah

... Petitioner

-Vs-

1. The Registrar of Co-operative Societies,
No.170, E.V.R.Periyar Salai,
Kilpauk, Chennai-600 010.
 2. The Joint Registrar of Co-operative Society,
Sivagangai District.
 3. The Deputy Registrar of Co-operative Societies,
Sivagangai District.
 4. The Special Officer / President,
Q-601, Keelamelgudi,
Primary Agricultural Co-operative Credit Society,
Manamadurai Taluk, Sivagangai 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 fourth respondent to implement the specific orders issued by the third respondent in Letter No.Na.Ka.1785/2013 ThooVa dated 03.04.2014 and Letter No.Na.Ka.99/2015 dated 27.04.2015 based on the order passed by the first respondent to the second in his Letter No.Na.Ka.26799/2015 ThooVaSa 1 dated 13.04.2015 regarding sanction of retirement benefits to the petitioner within a specified time frame to be fixed by this Court.

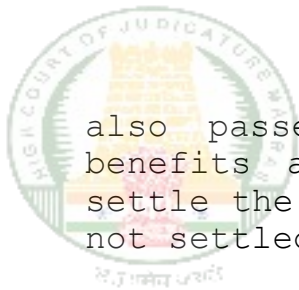
For Petitioner : Mr.V.Muthumani
For Respondents : Mr.D.Muruganantham,
Additional Government Pleader.

ORDER

The relief sought for in the present Writ Petition is for a direction to direct the fourth respondent to implement the orders issued by the third respondent in letter dated 03.04.2014 based on the order passed by the first respondent dated 13.04.2015.

2.The writ petitioner was employed as a Secretary of the fourth respondent Co-operative Society and retired from service on 31.12.2012.

3.The learned counsel appearing on behalf of the writ petitioner states that terminal benefits due to the writ petitioner are yet to be settled. In this regard, the first respondent has



also passed an order dated 13.04.2015 to settle the terminal benefits and the third respondent also directed the society to settle the terminal benefits. In spite of the directions, they have not settled the terminal benefits.

4.Now, the fourth respondent filed a counter affidavit by stating that total retirement benefits amount payable to the writ petitioner is Rs.5,19,314/-. Out of which, Rs.1,00,000/- had already been paid and the writ petitioner is liable to pay Rs.87,280/- to the society. Thus, the balance amount to be paid to the writ petitioner is Rs.3,32,034/-. The fourth respondent states that the society is facing financial crisis and therefore, the said amount will be paid by way of instalment.

5.Under these circumstances, considering the affidavit filed by the fourth respondent that admitted amount of Rs.3,32,034/- will be disbursed to the writ petitioner as early as possible, this Court is of the considered opinion that the respondents are bound to settle the same as expeditiously as possible without causing any undue delay. In view of the admission made in the counter affidavit, the respondents are directed to settle the terminal benefits to the writ petitioner as expeditiously as possible.

6.With these directions, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

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Sub Assistant Registrar(CS)

To

1. The Registrar of Co-operative Societies,
No.170, E.V.R.Periyar Salai,
Kilpauk, Chennai-600 010.
2. The Joint Registrar of Co-operative Society,
Sivagangai District.
3. The Deputy Registrar of Co-operative Societies,
Sivagangai District.
4. The Special Officer / President,
Q-601, Keelamelgudi,
Primary Agricultural Co-operative Credit Society,
Manamadurai Taluk, Sivagangai District.



+1 CC to Mr.R.SENTHILKUMAR, Advocate (SR-75863[F] dated 17/07/2019)
+1 CC to SPL GP (SR-75688[F] dated 17/07/2019)

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