

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.31094 of 2013

And

M.P.No.1 of 2013

V.Santhanam

... Petitioner

Vs.

- 1.The Commissioner/Registrar,
Agro Engineering and Services Co-operative Centre,
Chepauk,
Chennai - 600 005.
- 2.The Deputy Registrar,
Agro Engineering and Services Co-operative Centre,
Chepauk,
Chennai - 600 005.
- 3.The President,
Agro Engineering and Services Co-operative Centre Ltd.,
Kooteripattu Post, Tindivanam Taluk,
Villupuram District.
- 4.The Regional Commissioner,
Employees Provident Fund Office,
No.18, Madurai Road, Shri Complex,
"D" Block,
Trichy - 620 008.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to pay all the retiral benefits payable to the petitioner as per his representation dated 06.05.2013.

For Petitioner : Mr.R.Karunakaran

For Respondents : Mr.L.P.Shanmugasundaram

for R1 and R2

Special Government Pleader (Co-Op.)

Ms.T.Girija for R3

Additional Government Pleader

M/s.Chandrasekar for R4

Standing Counsel

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the first respondent to pay all the retiral benefits payable to the petitioner as per his representation dated 06.05.2013.

2.The case of the petitioner is that the petitioner worked as Salesman at Mailam Agro Engineering and Services Co-operative Centre Limited from 01.08.1982 to 31.01.2012. Though the petitioner got superannuated on 31.01.2012, his retirement benefits have not yet been settled. In this regard, the petitioner made representation dated 06.05.2013 to the respondents and since there was no action, came forward to file this writ petition.

3.The learned counsel appearing for the petitioner would submit that though the petitioner retired from service in the year 2012 itself, his retirement benefits have not yet been settled. The petitioner is finding very difficult to eke his livelihood. Hence, this Court may issue direction to the respondents to settle the retirement benefits due to the petitioner within a reasonable time frame.

4.The learned Special Government Pleader did not dispute the fact that the retirement benefits due to the petitioner have not yet been settled. He would further submit that the respondents society is under liquidation, however, steps will be taken to settle the eligible retirement benefits due to the petitioner, in favour of the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

5.In view of the above, this Court directs the respondents to settle the eligible retirement benefits due to the petitioner, in favour of the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

6.The writ petition is accordingly disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Commissioner/Registrar,
Agro Engineering and Services Co-operative Centre,
Chepauk,
Chennai - 600 005.
 - 2.The Deputy Registrar,
Agro Engineering and Services Co-operative Centre,
Chepauk,
Chennai - 600 005.
 - 3.The President,
Agro Engineering and Services Co-operative Centre Ltd.,
Kooteripattu Post, Tindivanam Taluk,
Villupuram District.
 - 4.The Regional Commissioner,
Employees Provident Fund Office,
No.18, Madurai Road, Shri Complex,
"D" Block,
Trichy - 620 008.
- +1 cc to M/s.R.Karunagaran, Advocate Sr.No. 25922
+1 cc to M/s.l.P.Shanmugasundaram, Advocate Sr.No. 25846
+1 cc to The Government Pleader, Sr.No. 25857

PP (CO)
RMP (01/09/2020)

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And
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सत्यमेव जयते

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