

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.7101 of 2013

A.Shanmugam

...Petitioner

Vs.

1. Senior Grade Inspector/ Special Officer,
Primary Co-Operative Agricultural Bank,
G-2465, Mullippakkam,
Kanchepuram.
2. The Deputy Registrar,
Co-Operative Societies,
Chengalpattu.
3. The Joint Registrar,
Co-Operative Societies,
Kancheepuram.
4. The Registrar,
Co-Operative Societies,
Chennai - 10.

...Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to release petitioner's retirement benefits, arrears of salary and Gratuity totally a sum of Rs.1,31,415/- which is illegally withholding by the respondents along with 12% interest per annum.

For Petitioner : Mr.D.Magesh

For Respondents : Ms.T.Giriya

Additional Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to release the petitioner's retirement benefits, arrears of salary and gratuity totally a sum of Rs.1,31,415/- which is withheld by the respondents along with 12% interest per annum.

2.The case of the petitioner is that the petitioner was working as Secretary in G-2465, Primary Co-Operative Agricultural Bank, Mullippakkam, Kanchepuram and retired from service on attaining the age of superannuation on 28.02.2005.

3.According to the petitioner though he retired from his service in the year 2005, his retirement benefits have not yet been fully settled and there is also arrears in salary. Hence, this writ petition.

4.The learned counsel appearing for the petitioner would submit that after repeated requests made by the petitioner, the respondents have settled only a sum of Rs.1,10,870/- towards gratuity, on 05.01.2010 that too after forcibly obtaining an undertaking letter from the petitioner that he will not claim any amount in future. The learned counsel would further submit that the petitioner is entitled to a further sum of Rs.1,31,415/-. Accordingly, he prayed for allowing the writ petition.

5.Per contra, the learned Additional Government Pleader would submit that apart from gratuity, if the petitioner is entitled to receive any other benefits as per the norms and if any amount due to the petitioner is withheld by the respondents, the same will be settled in favour of the petitioner, legally.

6.In view of the submission made by the learned Additional Government Pleader, this Court directs the respondents to settle the amount, if any, due to the petitioner, which the petitioner is legally entitled, in favour of the petitioner, within a period of three months from the date of receipt of a copy of this order.

7.This writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

सत्यमेव जयते Sd/-

Assistant Registrar(CS VIII)

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Sub Assistant Registrar

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To

1.The Senior Grade Inspector/ Special Officer,
Primary Co-Operative Agricultural Bank,
G-2465, Mullippakkam,
Kanchepuram.

2.The Deputy Registrar,
Co-Operative Societies,
Chengalpattu.

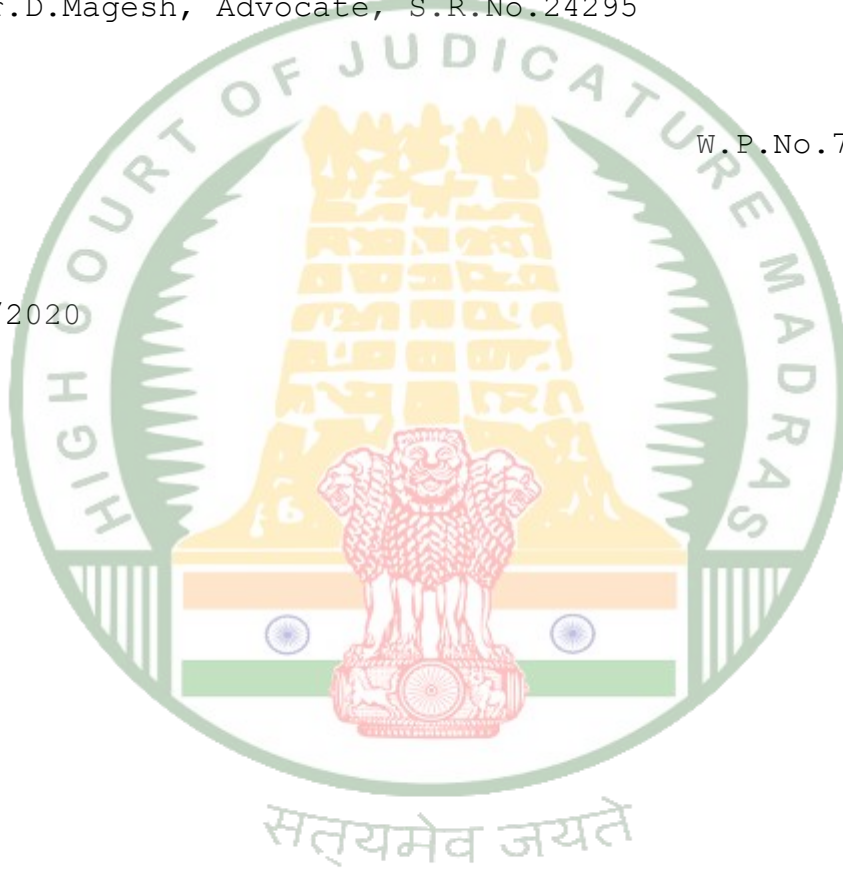
3.The Joint Registrar,
Co-Operative Societies,
Kancheepuram.

4.The Registrar,
Co-Operative Societies,
Chennai - 10.

+1cc to Mr.D.Magesh, Advocate, S.R.No.24295

W.P.No.7101 of 2013

VG II(CO)
KKV/04/09/2020



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