

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.9868 of 2020

R.Ashokan

... Petitioner

vs.

1. The Registrar of Co-operative Societies (Housing),
Tamil Nadu Co-operative Housing Federation,
2nd Floor, No.48, Ritherton Road,
Vepery, Chennai - 600 007.
2. The Managing Director,
Tamil Nadu Co-operative Housing Federation,
2nd Floor, No.48, Ritherton Road,
Vepery, Chennai - 600 007.
3. The Deputy Registrar (Housing),
Cuddalore Region,
Cuddalore District.
4. The President/Special Officer,
E 2148, Chidambaram Co-operative Housing Society,
1st Main Road, Vageesanagar,
Chidambaram,
Cuddalore District - 608 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to forthwith settle the retirement benefits namely remaining PF, DCRG, arrears of Salary, loan amount etc. together with interest at the rate of 24% per annum from 01.03.2018 till the date of realization etc.

For Petitioner :Mr.K.Raja
For 1st Respondent :Mr.L.P.Shanmugasundaram,
Special Government Pleader
For 2nd Respondent :Mr.S.Kanmani Annamalai

O R D E R

Petitioner has come up with the present Writ Petition seeking a direction to the Respondents to forthwith settle the retirement benefits namely remaining PF, DCRG, arrears of

Salary, loan amount etc. together with interest at the rate of 24% per annum from 01.03.2018 till the date realization etc.

2. According to the Petitioner, after putting 29 years of service, he attained superannuation on 28.02.2018 as Secretary (i/c) of the Respondent/Co-operative Society. Seeking settlement of remaining retirements benefits, the Petitioner made various representations and the 1st Respondent, vide proceedings dated 06.01.2020 directed the 3rd Respondent herein to take action for settlement of remaining retirement benefits payable to the Petitioner based on his representations dated 01.07.2019 and 23.11.2019, respectively. As no effective steps were taken by the 3rd Respondent to settle the remaining retirement benefits, the Petitioner is before this Court.

3. When the matter was taken up for hearing, learned Special Government Pleader appearing for the 1st Respondent submitted that, no prejudice would be caused to the Petitioner, if the Writ Petition is disposed of.

4. Heard the learned counsel for the parties.

5. Having regard to the submissions made by the learned counsel on either side and without going into the merits of the case, this Court directs the 3rd Respondent herein to consider the Petitioner's representations dated 01.07.2019 and 23.11.2019 in the light of the 1st Respondent's proceedings dated 06.01.2020, in accordance with law within a period of four months from the date of receipt of a copy of this order. It is made clear that, this Court has not decided the issue with regard to the maintainability of the Writ Petition.

This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

(aeb/jas)

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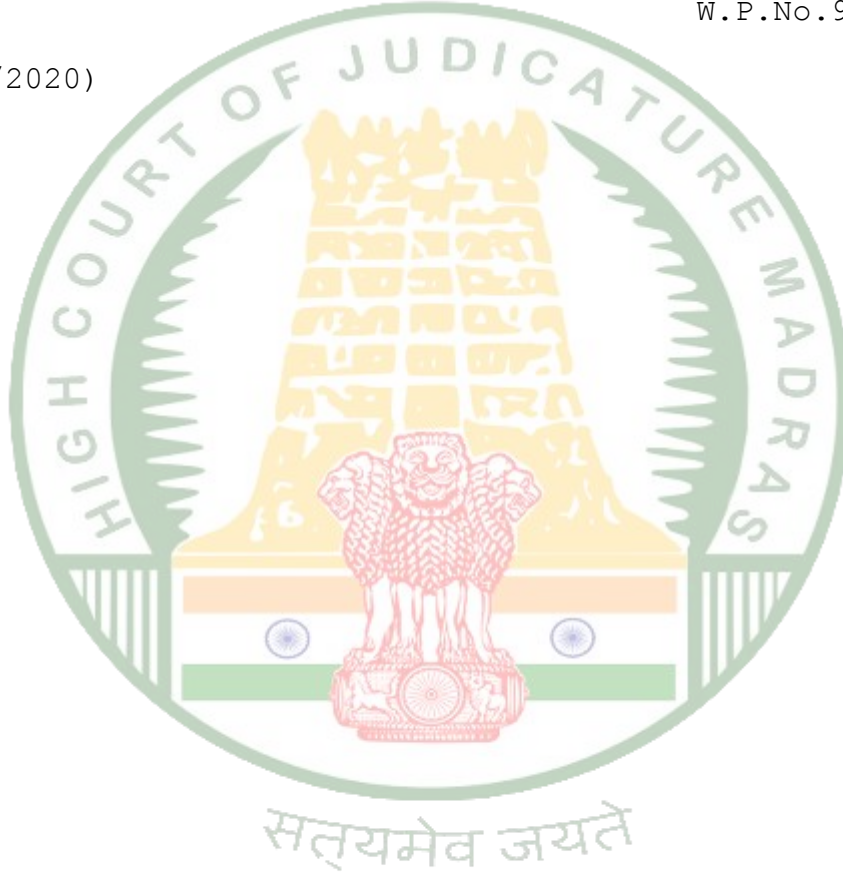
1. The Registrar of Co-operative Societies (Housing),
Tamil Nadu Co-operative Housing Federation,
2nd Floor, No.48, Ritherton Road,
Vepery, Chennai - 600 007.

2. The Deputy Registrar (Housing),
Cuddalore Region,
Cuddalore District.

+1 cc to M/s.L.P.Shanmugasundaram ,Advocate Sr.No. 25684
+1 cc to M/s.K.Raja,Advocate Sr.No. 25606
+1 cc to The Government Pleader (co-op), Sr.No. 25737 & 25633

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SSV(CO)
RMP(03/09/2020)



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