



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2020

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD)No.7090 of 2013

and

W.M.P. (MD)No.4444 of 2016

WEB COPY

S.Jeyaseeli

... Petitioner

Vs.

1.Joint Registrar / Liquidator,
28 Madurai Urban Co-operative Bank Ltd.,
32, Naicker New Street,
Madurai - 625 001.

2.The Divisional Manager,
The Life Insurance Corporation of India,
(LIC of India),
Sellur, Madurai -625 002.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to pay the gratuity amount eligible to the petitioner with 10% interest.

For Petitioner : Mr.V.O.S.Kalaiselvam

For Respondent-1 : Mr.T.Lajapathi Roy

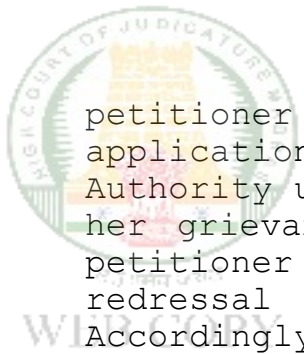
For Respondent-2 : Mr.C.Godwin

O R D E R

The relief sought for in the present Writ Petition is to direct the 1st respondent to pay the gratuity amount eligible to the petitioner with 10% interest.

2. The husband of the writ petitioner was working as an employee in Madurai Urban Co-operative Bank Ltd., Madurai. The employee died on 30.05.2012 and his wife Smt.S.Jeyaseeli, filed the present Writ Petition. The grievances of the writ petitioner is that the gratuity, as applicable, has not been paid to her husband.

3. The fact remains that the Madurai Urban Co-operative Bank Ltd., was liquidated and a Joint Registrar was appointed, as Liquidator. As far as the Co-operative Societies are concerned, no Writ Petition can be entertained directly. The remedy provided under the Co-operative Societies Act is to be exhausted before approaching the High Court, under Article 226 of the Constitution of India. This apart, the Urban Bank is under Liquidation and the



petitioner has to approach the Liquidator by filing a proper application or otherwise, she has to approach the Competent Authority under the Co-operative Societies Act, for the redressal of her grievances. This being the factum, liberty is granted to the petitioner to approach the appropriate Authority, for the purpose of redressal of her grievances, in the manner known to Law. Accordingly, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

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/ /2020

Sub Assistant Registrar(CS)

MPK

To

1.Joint Registrar / Liquidator,
28 Madurai Urban Co-operative Bank Ltd.,
32, Naicker New Street,
Madurai - 625 001.

2.The Divisional Manager,
The Life Insurance Corporation of India,
(LIC of India),
Sellur, Madurai -625 002.

+1 CC to M/s.C. GODWIN, Advocate (SR-22556[F] dated 24/11/2020)

+1 CC to M/s.GP (SR-22700[F] dated 24/11/2020)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-22872[F] dated 26/11/2020)

W.P. (MD)No.7090 of 2013

23.11.2020

SV2 (CO)

AP (03/12/2020) 2P 6C