



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :15.12.2020

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THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

W.P. (MD) No.18488 of 2020

N.T.Raviraj

...Petitioner

Vs

1.The Joint Registrar of
Cooperative Societies Kanniyakumari Region,
Kanniyakumari District.

2.The Deputy Registrar of Cooperative Societies,
Thakkalai,
Kanniyakumari District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to pay encashment of earned leave salary and unearned leave on private affairs, special provident fund, pursuant to the representation dated 10.08.2020.

For Petitioner	:	Mr.S.Sairaman
For Respondents	:	Mr.K.P.Narayanakumar Special Government Pleader

ORDER

This Writ Petition is filed to direct the respondents to pay encashment of earned leave salary, unearned leave on private affairs and special provident fund to the petitioner, by considering the representation, dated 10.08.2020.

2.By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

3.It is the grievance of the petitioner that he was working as Cooperative Sub Registrar in the respondent society and though he was suspended from service on 29.07.2017, he is entitlement for terminal benefits, for which, he has made a representation, dated 10.08.2020 to the respondents and the same is pending so far. Hence, the present writ petition.

4.The learned counsel appearing for the petitioner would submit that though the petitioner was suspended from service, the respondents cannot retain the terminal benefits, for which, the



petitioner is entitled to get the same.

5.In reply, Mr.K.P.Narayanakumar, learned Special Government Pleader appearing for the respondents would submit that the petitioner's representation, dated 10.08.2020 will be disposed of on merits and in accordance with law, within a period of eight weeks.

6.In view of the submission made by the learned counsel on either side, this Court is inclined to pass the following directions:-

i) the 2nd respondent is directed to consider the petitioner's representation, dated 10.08.2020 and dispose of the same on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order; and

ii) if any amount is arrived at by the 2nd respondent with regard to the claim of the petitioner, the same shall be paid to the petitioner within a period of twelve weeks therefrom;

7.With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AE)

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Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Joint Registrar of
Cooperative Societies Kanniyakumari Region,
Kanniyakumari District.

2.The Deputy Registrar of Cooperative Societies,
Thakkalai, Kanniyakumari District.

+1 CC to Mr.S.Sairaman ,Advocate,in SR.No.25909 of 2020.

+1 CC to Special Government Pleader SR.No.26031 of 2020.

W.P. (MD) No.18488 of 2020

15.12.2020

(SJ)CO

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