



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

CORAM:

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.19211 of 2020

R.Kannathasan

... Petitioner

Vs.

1.The Registrar,

Office of the Registrar of Coopertive Societies,
EVR Road, Kilpauk,
Chennai-600 010.

2.The Joint Registrar,

Office of the Registrar of Coop Societies,
District Collector Campus,
Ramanathapuram Post,
Ramanathapuram District.

3.The Deputy Registrar,

Office of the Deputy Registrar of Coop Societies,
Paramakudi Post,
Ramanathapuram District.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the respondents 2 and 3 and to sanction and settle the petitioner's personal benefits like Special Provident fund and encashment of earned leave salary credit as on 28.09.2017 based on his representation dated 30.04.2020 and the legal notice dated 06.07.2020 within the period that may be stipulated by this Court.

For Petitioner : Mr.C.G.Pethanaraj

For Respondents : Mr.P.Mahendran

Additional Government Pleader

O R D E R

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

2.This Writ Petition has been filed to direct the respondents 2 and 3 to sanction and settle the petitioner's personal benefits like Special Provident fund and encashment of earned leave salary credit as on 28.09.2017 based on his representation dated 30.04.2020 and the legal notice dated 06.07.2020 within the period that may be stipulated by this Court.

3.The learned counsel for the petitioner would submit that the petitioner was terminated from service on 28.09.2017, since the criminal case is pending against him. The petitioner is entitled to



get earned leave salary and special provident fund. In this regard, the petitioner made a representation before the respondents on 30.04.2020. However, the said representation has not been considered by the respondents till date. Hence, the petitioner filed the present writ petition for appropriate orders.

WEB COPY

4.The learned Additional Government Pleader appearing for the respondents would fairly submit that the representation of the petitioner will be disposed of on merits and in accordance law.

5.In view of the submissions made by the learned counsel appearing on either side, this Court directs the respondents to dispose of the petitioner's representation, dated 30.04.2020 by taking into consideration of the law laid down by the Hon'ble Division Bench of this Court in W.A.No.2007 of 2016, dated 26.02.2016 within a period of eight (8) weeks from the date of receipt of a copy of this order on merits and in accordance with law.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

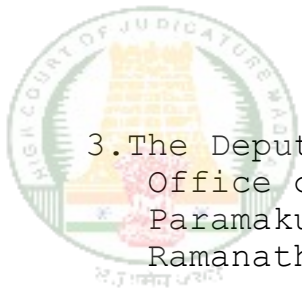
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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant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

To:-

1.The Registrar,
Office of the Registrar of Coopertive Societies,
EVR Road, Kilpauk,
Chennai-600 010.

2.The Joint Registrar,
Office of the Registrar of Coop Societies,
District Collector Campus,
Ramanathapuram Post,
Ramanathapuram District.



3.The Deputy Registrar,
Office of the Deputy Registrar of Coop Societies,
Paramakudi Post,
Ramanathapuram District.

+1CC to Mr.R.Saranvanan, Advocate, SR.No.26979 dated 23/12/2020

W.P.[MD]No.19211 of 2020
23.12.2020

PK (CO)
KB (08.01.2021) 3P 5C