



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2020

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.16418 of 2015

A.Muthukrishnan (Died)

1.M.Easwari

2.K.Anitha

3.B.Archana

... Petitioners

(P1 to P3 impleaded vide order date 19.11.2019 made in W.M.P. (MD) No.13995 of 2019 in W.P. (MD)No.16418 of 2015)

Vs.

1. The Registrar of Co-operative Societies,
No.170, Periyar Ee.Ve.Ra.High Road,
Post Box No.1091, Kilpakkam,
Chennai-600 010.

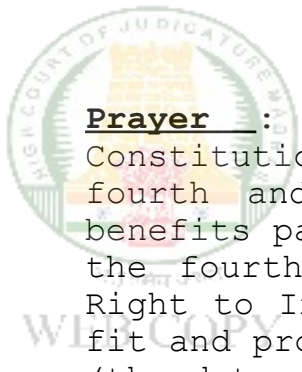
2.The Joint Registrar of Co-operative Societies,
Madurai Region,
Lady Doak College Road,
Madurai-625 002.

3. The District Registrar of Co-operative Societies,
Workshop Road, Simmakal,
Madurai-625 001.

4. The Co-operative Sub Registrar/
Managing Director,
Madurai Kamaraj University,
Cooperative Printing Press (M.M.3114),
Palkalai Nagar,
Madurai-625 021.

5. The Secretary,
Madurai Kamaraj University,
Cooperative Printing Press (M.M.3114),
Palkalai Nagar,
Madurai-625 021.

... Respondents



Prayer : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the fourth and fifth respondents to disburse in-full, the monetary benefits payable due to the petitioner, arrived at Rs.1,17,333/- (by the fourth respondent himself in writing in a reply sent for an Right to Information Act Application), with interest rate as deemed fit and proper by this Court which may be calculated from 09.07.2010 (the date on which the petitioner voluntarily retired from service), at the earliest and within the time frame stipulated by this Court.

For Petitioners : Mr.G.Thiagarajan

For R1 to R3 : Mr.P.Mahendran,
Additional Government Pleader.

For R4 & R5 : Mr.S.Seenivasagam

ORDER

The learned counsel for the petitioners strenuously contended that the petitioners are entitled for the relief as such sought for in the present writ petition. The petitioner, namely A.Muthukrishnan, was working as Time Keeper in Madurai Kamaraj University Co-operative Printing Press which is a co-operative society registered under the provisions of the Tamil Nadu Co-operative Societies Act. Thus, the question of issuing direction to the management of the co-operative society does not arise at all as the society is not a State within the meaning of Article 12 of the Constitution of India.

2.The learned counsel for the respondent brought to the notice of this Court that the petitioner, A.Muthukrishnan has to pay loan dues of more than two lakhs, however, the terminal benefits to be paid to the writ petitioner was about Rs.1,17,133/-. Thus, the respondents need not to pay any further amount to the writ petitioners as the dues are more than the amount for which the petitioners are entitled.

3.This being the factum established, the relief as such sought for cannot be granted. Accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (Records)

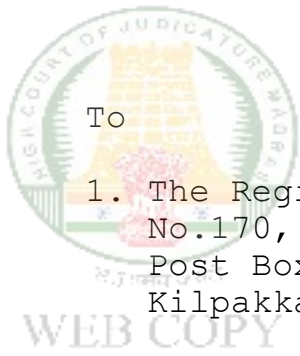
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Sub Assistant Registrar(CS)

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<https://hcservices.ecourts.gov.in/hcservices/>



To

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Simmakkal, Madurai-625 001.

+1 CC to Mr.S.SEENIVASAGAM, Advocate SR-24013.

+1 CC to the SPL GP SR-24302.

W.P. (MD) No.16418 of 2015

03.12.2020

VR(CO)

CS(17.12.2020) 3P 6C