

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 01.03.2021

CORAM:

THE HON'BLE MR. JUSTICE R.SURESH KUMAR

W.P.No.2380 of 2012

M.Natesan

... Petitioner

Vs.

1.The Joint Registrar of Co-operative Societies,
Perambalur Region, Perambalur District.

2.The Special Officer,
TYSPL - 57, Thirukkaluppur Primary
Agricultural Cooperative Credit Society,
Thirukkaluppur Post,
Udayarpalayam Taluk,
Ariyalur District.

... Respondents

Prayer: Petition filed under Article 226 of Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent herein to pass final order on the Revision Petition preferred by the petitioner on 26.11.2010.

For Petitioner :No appearance

For 1st Respondent :Ms.T.Girija
Additional Government Pleader
(Co-op)

For 2nd Respondent :Mr.L.P.Shanmugasundaram
Special Government Pleader

ORDER

The prayer sought for in this writ petition is to issue a writ of mandamus directing the first respondent herein to pass final order on the Revision Petition preferred by the petitioner on 26.11.2010.

2.The petitioner was the employee of the second respondent and in the year 2008, he retired from service in the second respondent Society. In this regard, he has got the grievance with regard to the payment of pensionable benefits and the issue was taken up by way of revision before the first respondent on 26.11.2010 and the said revision since was not decided and

disposed, the petitioner filed this writ petition with the aforesaid prayer.

3.Today, when the case is taken up for hearing, Ms.T.Girija, learned Additional Government Pleader appearing for the first respondent, on instruction, would submit that, during the pendency of this writ petition as well as the revision before the first respondent, the second respondent had come forward to settle the pensionable benefits payable to the petitioner and in this regard, order has been passed by the second respondent Society. Therefore, producing the copy of the said order, the learned Additional Government Pleader appearing for the first respondent, would submit that, virtually nothing would survive in the said revision if it is not disposed of. However, the learned Additional Government Pleader would submit that, still if the petitioner wants the disposal of the revision, he can pursue the matter before the first respondent. However, there shall be no such lien on the part of the petitioner to agitate the issue, in view of the orders having been passed by the second respondent.

4.I have considered the said submission made by the learned Additional Government Pleader appearing for the first respondent and have perused the orders passed by the second respondent Society, where, the retiral benefits payable to the petitioner to the extent of 3,47,720/- has been calculated and directed to be disbursed, therefore, this Court feels that, nothing survives to effectively consider in the revision dated 26.11.2010 filed by the petitioner, which is said to be pending before the first respondent as of now.

5.In view of the above, this Court is inclined to dispose this writ petition by recording the aforesaid, of course with the liberty to the petitioner to adjudicate the issue further if any grievances still there for the petitioner with regard to the issue raised before the first respondent in the said revision petition dated 26.11.2010. Accordingly, this Writ Petition is disposed of. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

Sgl

To

1.The Joint Registrar of Co-operative Societies,
Perambalur Region, Perambalur District.

2.The Special Officer,
TYSPL - 57, Thirukkaluppur Primary
Agricultural Cooperative Credit Society,
Thirukkaluppur Post,
Udayarpalayam Taluk,
Ariyalur District.

+1 Cc to The Special Government Pleader sr 12754.

W.P.No.2380 of 2012

GP(CO)
SP(18/03/2021)



WEB COPY