



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.11009 of 2021

and W.M.P. (MD)No.8634 of 2021

WEB COPY

C.Arul

... Petitioner/ Petitioner

vs.

1.The Commissioner,  
Milk Production and Diary Development,  
Milk Colony,  
Madhavaram,  
Chennai - 600 051.

2.The Deputy Registrar (Diarying),  
Collectorate Campus,  
Thirunelveli.

3.Mr.K.Sridharan  
President,  
VRD. 446,  
Manikettipottal Milk Producers  
Co-operative Society,  
Manikettipottal & Post,  
Kanyakumari District.

4.P.Ravindran

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing respondents 1 to 3 to relieve the 4<sup>th</sup> respondent from the service of VRD 446, Manikettipottal Milk Producers Co-operative Society considering his age of superannuation and recover the salary paid to him after his retirement.

For Petitioner : Mr.C.T.Perumal

For Respondents : Mr.P.Subbaraj,

Government Advocate for R1 to R3

#### ORDER

The present Writ petition is filed for a direction to the respondents 1 to 3 to relieve the fourth respondent from the service of third respondent society, considering his age of superannuation and recover the salary paid to him after his retirement.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for respondents 1 to 3.

3. The third respondent filed counter affidavit.



4. The learned Government Advocate appearing for the respondents 1 and 2 submitted that the date of birth of the fourth respondent is 15.03.1959 and he retired on 31.03.2017, on attaining the age of superannuation. The Board of Directors of the third respondent society, considering the experience of the fourth respondent, appointed him on daily wage of Rs.400/- (Rupees Four Hundred only), not exceeding Rs.10,000/- (Rupees Ten Thousand only) per month. Subsequently, from 31.05.2021, the fourth respondent was relieved from the work and from 01.06.2021, he was not given any work in the third respondent society.

5. Recording the same, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

**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 Commissioner,  
Milk Production and Diary Development,  
Milk Colony,  
Madhavaram,  
Chennai - 600 051.

2.The Deputy Registrar (Diarying),  
Collectorate Campus,  
Thirunelveli.

+1 CC to M/s.C.T.PERUMAL, Advocate ( SR-23075[F] dated 19/07/2021 )  
+1 CC to M/s.GP ( SR-23306[F] dated 20/07/2021 )

**W.P(MD)No.11009 of 2021**  
**and W.M.P. (MD)No.8634 of 2021**  
**19.07.2021**