



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.16466 of 2021

WEB COPY

T.Selvi

... Petitioner

vs.

1.The Joint Registrar of
Co-operative Societies,
Samyappa Cooperative Complex,
Thanjavur, Thanjavur District.

2.The Deputy Registrar of
Co-operative Societies,
Pattukottai, Thanjavur District.

3.The T-1218 Veeriyankottai Primary Agriculture,
Cooperative Credit Society,
Rep. By its President,
Veeriyankottai,
Peravoorani Taluk, Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to disburse the admitted employee gratuity fund of the petitioner's deceased husband S.Tamilarasan with interest to the petitioner and other attended monetary benefits pending in the third respondent society within time frame as fixed by this Court.

For Petitioner : Mr.Raja Karthikeyan

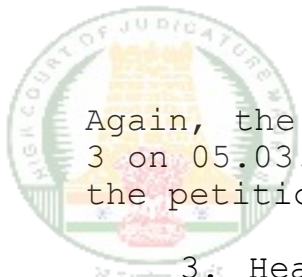
For Respondents : Mr.A.K.Manikkam,

Standing Counsel for State for R1 & R2

ORDER

This writ petition has been filed for the issue of a Writ of Mandamus, directing the respondents to disburse the admitted employee gratuity fund of the petitioner's deceased husband S.Tamilarasan with interest to the petitioner and other attended monetary benefits pending in the third respondent society.

2. According to the petitioner, her husband viz., Tamilarasan, served in the third respondent society as Sales man. He died on 25.04.2016. The grievance of the petitioner is that the third respondent society has not settled the gratuity amount to the petitioner under Section 79 of the Tamil Nadu Co-operative Society Act. Therefore, the petitioner has made a representation on 15.11.2017, to disburse the gratuity amount to the petitioner.



Again, the petitioner made a representation to the respondents 1 to 3 on 05.03.2019. There is no response from the respondents. Hence, the petitioner has filed this Writ Petition.

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

4. Considering the facts and circumstances of the case, this Court is of the view that in the light of the decision of the Full Bench of this Court in the case of **K.Marappan-Vs-The Deputy Registrar of Co-operative Societies, Namakkal**, the prayer sought for in this Writ Petition cannot be granted. However, the learned counsel appearing for the petitioner made a request that it would suffice, if there is a direction to the second respondent to dispose the representation of the petitioner dated 05.03.2019.

5. Therefore, in view of the request made by the learned counsel appearing for the petitioner, this Court directs the second respondent to consider the petitioner's representation dated 05.03.2019, on its own merits and in accordance with law, as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

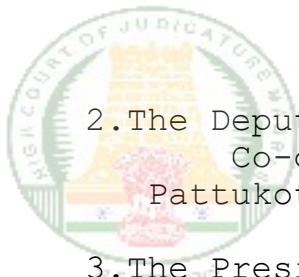
Sub Assistant Registrar(CS)

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 Joint Registrar of
Co-operative Societies,
Samyappa Cooperative Complex,
Thanjavur, Thanjavur District.



2.The Deputy Registrar of
Co-operative Societies,
Pattukottai, Thanjavur District.

3.The President,
The T-1218 Veeriyankottai Primary Agriculture,
Cooperative Credit Society,
Veeriyankottai,
Peravoorani Taluk, Thanjavur District.

+1 CC to M/s.SPL. GP (SR-29316[F] dated 16/09/2021)

W.P (MD) No.16466 of 2021
14.09.2021

NSN(CO)
KB(24.09.2021) 3P 5C