



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.15735 of 2016

Mariappan

... Petitioner

Vs.

1.The Deputy Registrar of
Co-operative Societies,
Annavasal Road,
Pudukkottai.

2.The President,
M.M.396, Sammatti Viduthi,
Primary Agricultural Co-operative
Credit Society,
Sammatti Viduthi-Post,
Pudukkottai Taluk & District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to disburse the entire retirement benefits due to the petitioner with 18% interest per annum at once.

For Petitioner : Mr.T.Selvakumaran

For R1 : Mr.P.Mahendran
Additional Government Pleader

For R2 : Mr.S.Satheeshkumar

O R D E R

This writ petition is filed for a direction to the respondents to disburse the entire retirement benefits due to the petitioner with 18% interest per annum at once.

2.The case of the petitioner is that he joined as Secretary in the second respondent Society on 15.07.1982 and on attaining the age of superannuation, he was retired from service on 31.05.2016. While so, the first respondent ordered for enquiry under Section 81 of Tamil Nadu Co-operative Societies Act 1983, for the alleged loss caused to the Society. Thereafter, the second respondent has



issued a charge memo and enquiry was also conducted and based on the enquiry, proven minute was submitted by the Enquiry Officer. Thereafter, the petitioner has submitted his explanation and also remitted the entire amount of Rs.28,303.80/-. Without considering the same, the second respondent has imposed the punishment of stoppage of increment for two years. However, the retirement benefits was not settled to the petitioner, for which, a proposal was sent to the first respondent. Till date no order has been passed. Hence, the present writ petition is filed.

3.Heard the learned counsel appearing for the petitioner.

4.The learned Additional Government Pleader appearing for the first respondent submitted that if a representation is given, the first respondent is ready to consider the representation of the petitioner.

5.In view of the above, the petitioner is directed to give a fresh representation to the first respondent and on such representation, the first respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is also directed to enclose the copy of the representation along with the copy of this order enabling the first respondent to pass orders.

6.With the above direction, this Writ Petition is disposed of.
No Costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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To

The Deputy Registrar of
Co-operative Societies,
Annavasal Road,
Pudukkottai.

+1 CC to SPL GP (SR-7882[F] dated 01/03/2021)

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