



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P (MD) No.11147 of 2017

D.S.Ramachandran

... Petitioner

Vs.

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

2.The Deputy Registrar of Co-operative Societies,
Srivilliputhur Circle,
Virudhunagar District.

3.The President,
Sp-Spl.69, Kollapatti Primary Agricultural
Co-operative Society,
Kollapatti, Sattur Taluk,
Virudhunagar District.

4.The President,
Sp-Spl.74, Muthusampuram Primary Agricultural
Co-operative Society,
Muthusampuram, Sattur Taluk,
Virudhunagar District.

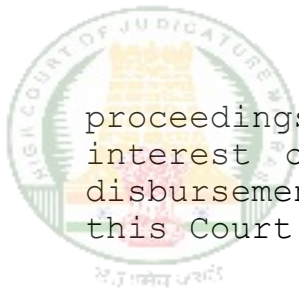
... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, to direct the third respondent to disburse an amount of Rs.1,19,292/- towards the salary for 57 days to the petitioner by implementing the order passed by the first respondent in his proceedings in Na.Ka.No.6797/2013 Sa.Pa. dated 29.03.2016 along with interest of 12% per annum calculating from 19.01.2012 until the disbursement of the above said amount within a period stipulated by this Court.

For Petitioner	:	Mr.N.Sathish Babu
For Respondents	:	Mr.D.Muruganantham
		Additional Government Pleader
		for R.1 & R.2
	:	Mr.J.Gunaseelan Muthiah
		for R.3

ORDER

This Writ Petition is filed for issuance of a writ of Mandamus to direct the third respondent to disburse an amount of Rs.1,19,292/- towards the salary for 57 days to the petitioner by implementing the order passed by the first respondent in his



proceedings in Na.Ka.No.6797/2013 Sa.Pa. dated 29.03.2016 along with interest of 12% per annum calculating from 19.01.2012 until the disbursement of the above said amount within a period stipulated by this Court.

2. Learned Counsel appearing for the petitioner would submit that the petitioner was appointed as Audit Assistant in the third respondent Society in the year 2011 on deputation and his salary for 57 days for the above said post was not disbursed and for disbursement of the same, the petitioner made representations to the third respondent on 15.03.2012 and 28.04.2012, requesting to disburse the salary and however, no action was taken. Therefore, the petitioner filed an application under Section 153 of the Tamil Nadu Co-operative Societies Act to consider his request to disburse the salary for 57 days. Thereafter, the first respondent, by proceedings dated 23.09.2016, passed an order by directing the third respondent society to disburse the salary for 57 days to the petitioner. Even thereafter, the said amount was not paid and hence, the present writ petition is filed.

3. Learned Counsel for the petitioner would further submit that it would suffice if a direction is issued to the third respondent to implement the order of the first respondent dated 23.09.2016, within a stipulated period as fixed by this Court.

4. Learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned Counsel appearing for the third respondent have no objection for granting such relief as now sought for by the petitioner.

5. Considering the limited scope of prayer as now sought for by the learned Counsel appearing for the petitioner, without going into the merits of the petitioner's case, the third respondent is directed to implement the order of the first respondent dated 23.09.2016, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CSII)

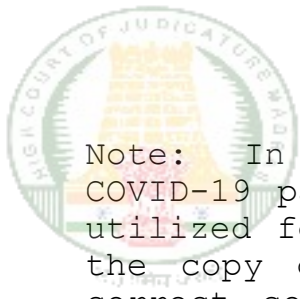
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Sub Assistant Registrar(CS)

SSL

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



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

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KMV (CO)
KB (29.03.2021) 3P 5C