



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI
W.P. (MD)No.21351 of 2017

WEB COPY

S.Anandhi

... Petitioner

Vs.

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

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

3.The Secretary,
A2929 Periyapatti Primary Agricultural
Credit Societies,
Kancharampettai,
Madurai.

... Respondents

(R3 impleaded Vide Court order
dated 06.12.2017 in W.M.P(MD)
No.18725/2017)

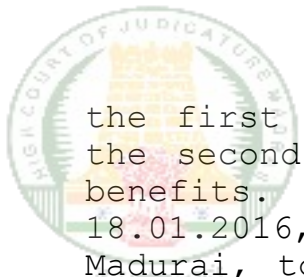
Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to disburse the pension along with other terminal benefits as assured by the 2nd respondent in his proceedings Na.Ka.No.241/2016 Navi(1), dated 15.09.2016.

For Petitioner	: Mr.M.Kamalini
For R1 & R2	: Mr.B.Baghavathy Government Advocate
For R3	: Mr.R.Saravanan

O R D E R

This writ petition is filed for a direction to the second respondent to disburse the pension along with other terminal benefits as assured by the second respondent, in his proceedings Na.Ka.No.241/2016 Navi(1), dated 15.09.2016.

2.The case of the petitioner is that the petitioner's husband has joined as a Salesman in the third respondent Society and died on 15.09.2014 in harness. After the death of her husband, as a legal heir, the petitioner has made several representations to the respondents to disburse the pensionary benefits. Pursuant to which,



the first respondent in his reply, dated 12.01.2016, had directed the second respondent to take necessary action to give pensionary benefits. Thereafter, the second respondent in his reply, dated 18.01.2016, directed the Sub-Registrar of Co-operative Society, Madurai, to submit a report on enquiry that whether the petitioner is entitled to get such claim. After considering the report of the Sub Registrar, the second respondent in his proceedings dated 15.09.2016 stating that necessary action had been taken to provide pension to the petitioner and further, added that due to arrears of loan and insufficiency of fund in the third respondent Society, pension benefits were not disbursed to the employees. Thereafter, the petitioner has given her consent letter, dated 25.07.2017 to the first respondent to receive pension benefits every month as suggested by the second respondent. Since no order has been passed, the present writ petition is filed.

3.The learned counsel appearing for the petitioner submitted that this Court may issue a direction to the first respondent to pass appropriate orders on the petitioner's consent letter, dated 25.07.2017, in the light of the second respondent letter, dated 15.09.2016, within the reasonable time as fixed by this Court.

4.The learned Government Advocate appearing for the first and second respondents has no serious objection for considering the same.

5.Considering the limited request made by the learned counsel for the petitioner, this Court directs the second respondent to consider the consent letter given by the petitioner, dated 25.07.2017, in the light of the second respondent letter, dated 15.02.2016, 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.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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To

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

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

+1 CC to M/s.R.SARAVANAN, Advocate (SR-12039[F] dated 18/03/2021)

+1 CC to M/s.M.KAMALINI, Advocate (SR-12414[F] dated 19/03/2021)

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GS (18.05.2021) 3P 5C