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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.3154 of 2022

V.Thangarajan ...Petitioner

vs.

1.The President,
The Employees Co-operative
X367 Society,
No.19/10 Rathna Nagar,
Teynampet,
Chennai – 600 018.

2.The Registrar,
Co-operative Society,
Kilpauk,
Chennai 600 010.

3.The Deputy Registrar,
Co-operative Society,
2nd Floor, Kuralagam,
Chennai – 600 108.

4.The Managing Director,
Chennai Metro Water Corporation,
Pallavan Salai,
Chennai – 600 002. ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 4 to grant the thrift and credit society amount 689 x 51 months = Rs.35,139/- to the petitioner.

For Petitioner : Mr.C.Venkatesan

For RR1 to 3 : Mr.S.Arumugam
Government Advocate

For R4 : Mr.S.Rajesh
Government Advocate

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O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus directing the respondents 1 to 4 to grant the thrift and credit society amount 689 x 51 months = Rs.35,139/- to the petitioner.

2. The case of the writ petitioner is that during his employment, the 2nd and 4th respondents have deducted a sum of Rs.689/- from his salary from 15.01.1983 to 15.03.1995 and thereafter, the respondents 1 to 4 did not pay the thrift and credit society amount and in this regard, they did also not produce the documents so far. Therefore, he sent a representation on 08.04.2021, to the 3rd respondent and based on the said representation, the 3rd respondent sent a communication to the 1st respondent, on 20.12.2021 to submit his report towards action taken against the petitioner's representation. But, there is no response from the 1st respondent society. Hence, the petitioner has filed the instant writ petition.

3. On a perusal of the proceedings dated 20.12.2021, issued by the 3rd respondent, viz., Deputy Director (Loan) Kuralagam, Chennai-108, addressed to the 1st respondent, it is seen that instructions have been given by the 3rd respondent to the 1st respondent to take appropriate action against the petitioner's complaint and communicate the order to the petitioner and thereafter, communicate the aforesaid action taken by the 1st respondent to the 3rd respondent within a period of 15 days. So far, the 1st respondent has not passed any order. Hence, this Court cannot pass any direction against the 1st respondent society on the ground that the present writ petition is not maintainable against the 1st respondent society. However, it is open to the 3rd respondent to take appropriate action in accordance with law, if no such response from the 1st respondent.

4. With the above observation, the writ petition is disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

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4.The Managing Director,
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Chennai - 600 002.

+1cc to M/s.C.Venkatesan, Advocate, S.R.No.10915

+1cc to the Government Pleader, S.R.No.1159

W.P.No.3154 of 2022

PL(CO)
RN(31/03/2022)

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