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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2022

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.19838 of 2020

R.Selvaraj

... Petitioner

Vs.

1. The Joint Registrar,
Co-operative Societies,
Perambalur District.

2. Pasumbalur Primary Agriculture
Co-operative Societies,
Pasumbalur Post, Veepanthatai Taluk,
Perambalur District, By its President.

... Respondent

PRAYER: This Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the respondents to pay a sum of Rs.1,430/- as 2 days wages for 01.08.2013 and 02.08.2013, Rs.1,200/- towards employee compassionate amount, Rs.9,890/- towards surrender leave salary, Rs.7,251/- as revised salary arrears, Rs.1,000/- as staff security arrears, Rs.11,879/- as encashment of earn leave salary amount, Rs.39,041/- as arrears of gratuity amount and Rs.4,49,251/- as interest for the delayed payment the arrears in altogether Rs.5,20,942/- to the petitioner within a stipulated period and pass such other relief this Court may deem fit and proper in the nature and circumstances of the case.

For Petitioner : Mr.M.Sridhar

For Respondents : Mrs.S.Anitha
Special Government Pleader

O R D E R

This writ petition has been filed to direct the respondents to pay a sum of Rs.1,430/- as 2 days wages for 01.08.2013 and 02.08.2013, Rs.1,200/- towards employee compassionate amount, Rs.9,890/- towards surrender leave salary, Rs.7,251/- as revised salary arrears, Rs.1,000/- as staff security arrears, Rs.11,879/- as encashment of earn leave salary amount,



2. Brief facts of the case:

(iii).As per the orders of this Court dated 03.10.2016, petitioner has given a fresh representation but the respondents did not pay the arrears amount. Thereafter, on 27.09.2018, the first respondent has paid a sum of Rs.3,40,236/- to the petitioner and on 12.02.2019, the second respondent has paid the amount payable to the petitioner without interest and also not paid a sum of Rs.1,430/- as 2 days wages for 01.08.2013 and 02.08.2013, Rs.1,200/- towards employee compassionate amount, Rs.9,890/- towards surrender leave salary, Rs.7,251/- as revised salary arrears, Rs.1,000/- as staff security arrears, Rs.11,879/- as encashment of earn leave salary amount, Rs.39,041/- as arrears of gratuity amount and Rs.4,49,251/- as interest for the delayed payment the arrears in altogether Rs.5,20,942/- to the petitioner within a stipulated period. In spite of several representations, the second respondent has not paid the above said amount. Hence, the present writ petition.



3.The learned counsel appearing for the petitioner submitted that, initially the petitioner was working as a clerk in the first respondent Society and he was relieved from the Society on 03.08.2013. Thereafter, he was appointed as Assistant in the Tiruchirapally District Central Co-operative Bank Limited by the Joint Registrar cum Managing director in the proceedings No.184/09-010 (A1), dated 03.08.2013. Further, after several representations and as per the orders of this Court, the first respondent has paid a sum of Rs.3,40,236/- to the petitioner but the second respondent has not paid the amount payable to the petitioner. Hence, he seeks for payment of the aforesaid amount to the petitioner.

4.The learned Additional Government Pleader, appearing for the respondents submitted that the petitioner's representation to pay his provident fund, gratuity and other benefits will be considered and the amount payable to the petitioner will be paid by the second respondent/Pasumbalur Primary Agriculture Co-operative Societies in accordance with the law.

5.Heard the learned respective counsel and perused the materials placed on record.

6.In view of the submissions made by the parties and considering the scope of the prayer in the writ petition, this Court directs the second respondent to consider the representation of the petitioner dated 15.02.2020 and pass appropriate orders on merits in accordance with law as early as possible preferably within a period of twelve weeks from the date of receipt of copy of this order.

7.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

Dua

To

1. The Joint Registrar,
Co-operative Societies,
Perambalur District.



2. The President,
Pasumbalur Primary Agriculture Co-operative Societies,
Pasumbalur Post,
Veepanthatai Taluk,
Perambalur District.

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+1cc to Mr.S.Muthukrishnan, Advocate, S.R.No.8945

W.P.No.19838 of 2020

GPL[co]
NSK 16/03/2022