



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.5582 of 2018

B.Govindarajan

...Petitioner

-Vs-

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

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

3.The Secretary,
Y.A.92, Kamarasavalli Primary
Agricultural Co-operative Credit
Society Ltd., Kamarasavalli Post,
Ariyalur Taluk & District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to pass appropriate orders directing the third respondent for the settlement of Provident Fund amount, arrears of salary, surrender leave salary and other dues payable to the petitioner with interest at the rate of 12% per annum from 18.02.2009 by considering the representation dated 23.06.2017.

For Petitioner : Mr.S.Kamadevan

For R1 & R2 : Mr.M.R.Gokula Krishnan,
Additional Government Pleader

For R3 : Mr.L.P.Shanmugasundaram

ORDER

The petitioner herein, while serving as a Village Administrative Officer, resigned on 18.02.2009, which was accepted by the third respondent-Society and he was accordingly relieved from service with effect from 18.02.2009. Complaining



of non-disbursement of the monetary benefits, the petitioner has filed the present writ petition.

2. The learned counsel for the third respondent, on written instructions, submitted that owing to the financial crisis of the Society, they were not in a position to disburse the funds all these years and that they are now willing to disburse the entire dues to the petitioner.

3. In the counter affidavit filed by the first and second respondents, dated 30.07.2018, the monetary benefits have been calculated together with 4% interest at Rs.4,05,203/-.

4. Since the dues of the petitioner have not been settled for almost 12 years, calculating the interest at the rate of 4% seems to be unreasonable. This Court is of the view that the interest payable at the rate of 6% would be just and proper.

5. In the light of the above observations, there shall be a direction to the third respondent herein to forthwith settle the entire monetary dues to the petitioner, together with interest at the rate of 6% per annum, commencing from 18.02.2009 onwards till the date of actual payment. Such an exercise of disbursement shall be done atleast within a period of two (2) weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands allowed, accordingly. No costs.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

hvk

To

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

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

+lcc to the Government Pleader, S.R.No.5600

W.P.No.5582 of 2018

PCH(CO)
SB(09/02/2022)