



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2022

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.24385 of 2021

M. Palanisamy

..Petitioner

Vs.

1. The Joint Registrar of Co-operative Societies
and Common Cadre Authority
Perambalur Region,
Perambalur

2. The Deputy Registrar of Co-operative Societies
Perambalur Circle,
Perambalur.

3.The President,
Ty.Spl.61, Vengnoor Primary Agricultural
Co-operative Credit Society Ltd.,
Venganoor & Post,
Veppanthattai Taluk,
Perambalur District.

..Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for Writ of Mandamus, directing the respondents to settle all the retirement benefits due to the petitioner with 9% interest per annum from the date of superannuation till the date of settlement.

For Petitioner : M/s.S. Kamadevan

For Respondents : Mr.S. Prabakaran,
Government Advocate

O R D E R

According to the petitioner, petitioner was appointed as Salesman in the third respondent Society in the common cadre services which are applicable exclusively to the holders of the



post of Secretaries working in the Primary Agricultural Banks and not to others. The petitioner was working as Secretary and retired from service on 31.7.2019. The Common Cadre Service Regulations 2019 were framed by the Government in the year 2019. The post of Secretary comes under the control of Common Cadre Service Regulations. Therefore, the third respondent passed an order placing the petitioner under Sec.81 of the Tamil Nadu Co-operative Societies Act. As per the Common Cadre Service Regulations, the first respondent initiated disciplinary proceedings, the order of suspension revoked and the petitioner was allowed to retire from service. The Surcharge proceedings initiated against the petitioner was also dropped as the other employees admitted the shortage and also remitted the amount alleged to have caused to the society. According to the petitioner, terminal benefits were not settled to the petitioner. Hence, he made representation to the Joint Registrar on 27.4.2021 to settle the terminal benefits to the petitioner and the same is still pending and no orders were passed. Therefore, the petitioner seeks to dispose of the said representation within a time frame as may be fixed by this Court.

2. The learned Government Advocate takes notice for the respondents.

3. Admittedly, both the counsel for the parties agreed that the first respondent is the competent authority to consider the petitioner's representation, dated 27.4.2021. In view of the above, the first respondent is directed to consider the petitioner's representation, dated 27.4.2021 on its own merit and in accordance with law, as expeditiously as possible preferably within a period of 12 weeks from the date of receipt of copy of the order.

4. Accordingly, the writ petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

Vaan

To

1. The Joint Registrar of Co-operative Societies
and Common Cadre Authority,
Perambalur Region, Perambalur.



2. The Deputy Registrar of Co-operative Societies,
Perambalur Circle,
Perambalur.

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+1cc to Mr.S.Kamadevan, Advocate SR.No.10417
+1cc to the Government Pleader SR.No.11081

W.P.No.24385 of 2021

PMK (CO)
GN (02/03/2022)