



WEB COPY

W.P.No.27687 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.27687 of 2022

P.Mathaiyan

... Petitioner

VS.

- 1 Joint Registrar of Co-operative Societies,
Dharmapuri Region,
Dharmapuri.
- 2 Deputy Registrar of Co-operative Societies,
O/o.The Deputy Registrar of Co- operative Societies,
Dharmapuri.
- 3 The President
S.974 Thindal Primary Agricultural Co-operative Credit Society,
Thindal Post,
Karimangalam Region,
Dharmapuri District - 635 111.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the Respondents to disburse the salary of the Petitioner for the period between June 2018 to 10.03.2020 along with 18 percent interest for the delayed payments.



For Petitioner : Mr.I.Kabilan
For Respondents 1 & 2 : Mr.G.Ameedius,
Government Advocate
For Respondent 3 : Mr.C.Sathish,
Government Advocate

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to disburse the salary of the Petitioner for the period from June 2018 to 10.03.2020 along with 18 % interest for the delayed payments.

2. Mr.G.Ameedius, learned Government Advocate accepts notice on behalf of the respondents 1 & 2 and Mr.C.Sathish, learned Government Advocate accepts notice on behalf of the third respondent. By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

3. According to the petitioner, he was serving as a Secretary under the third respondent Society. He claims that he has not been paid salary from June 2018 to 10.03.2020, even though, he attended office on those days. In



such circumstances, he has given a representation on 25.07.2022 seeking for payment of his salary for the above-mentioned period. Since the representation has not been considered till date, he has filed this writ petition.

4. Heard Mr.I.Kabilan, learned counsel for the petitioner, Mr.G.Ameedius, learned Government Advocate appearing for the respondents 1 & 2 and Mr.C.Sathish, learned Government Advocate accepts notice on behalf of the third respondent.

5. On instructions, learned Government Advocate appearing for the respondents 1 & 2 would submit that a recovery proceeding has been initiated against the petitioner. However, learned counsel for the petitioner would submit that the recovery proceeding said to have been initiated by the respondents has no bar on the respondents for not paying the salary to the petitioner.

6. No prejudice would be caused to the respondents, if the petitioner's representation dated 25.07.2022 is considered on merits and in accordance with law, within a time frame to be fixed by this Court.



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7. For the foregoing reasons, this Court directs the third respondent to pass final orders on the petitioner's representation dated 25.07.2022 seeking for payment of his salary for the period from June 2018 to 10.03.2022 after obtaining approval from the respondents 1 and 2, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this Order.

8. With the aforesaid direction, this writ petition is disposed of. No costs.

18.10.2022

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Index:Yes/No

Speaking/Non-speaking orders



To

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ABDUL QUDDHOSE, J.

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