



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.28457 of 2021

S.Kumar

...Petitioner

Vs

1. The Special Officer,
Tamil Nadu State Transport Corporation Employees,
Co-operative Society, Tenampet,
Chennai - 600 018.

2. The President,
Tamil Nadu State Transport Corporation Employees,
Co-operative Society, Teynampet,
Chennai - 600 018.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to pay the savings amount payable for the petitioner from the respondents Co-operative Society as per the petitioner's representation dated 22.11.2021.

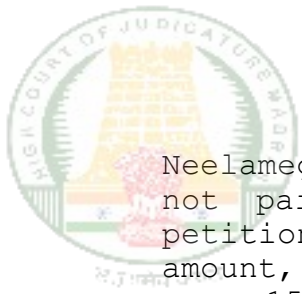
For Petitioner : Mr.R.Anbalagan

For Respondents : Mr.A.Selvendran
Special Government Pleader

O R D E R

The prayer sought for herein is for a writ of mandamus directing the 1st respondent to pay the savings amount payable for the petitioner from the respondents Co-operative Society as per the petitioner's representation dated 22.11.2021.

2. The petitioner was working as a Driver in Government Transport Corporation, Villupuram Limited at Vellore. He was a member of the respondent Co-operative Society and one Neelamegam, a co-worker also was the member. These two members had taken loan from the Society, both of them stood as Guarantor for each other. Ultimately, the said Neelamegam retired on 31.12.2012 and all his retiral benefits payable to him had been paid. However, when the petitioner retired on 31.05.2018, in order to pay the amount payable to the loan obtained by the said



Neelamegam, since the petitioner stood as a Guarantor, he was not paid the retiral amount or any amount payable to the petitioner by the Society. Therefore, in order to get the said amount, he has given a representation to the respondent Society on 15.06.2021. Earlier also, he had made several representations, since the said representations had not been considered by the respondent Society, the petitioner has approached this Court by filing the present writ petition with the aforesaid prayer.

3. Heard Mr.R.Anbalagan, learned counsel appearing for the petitioner, who having reiterated the said aspects, seeks indulgence of this Court to issue a direction to the respondents to consider his representation.

4. Heard Mr.A.Selvendran, learned Special Government Pleader appearing for the respondents, who, on instruction, would submit that whether the petitioner would be entitled to get any amount from the Society or not, can be verified only based on the Books of Accounts and accordingly his request made through his representation would be considered and decided on merits within a time frame.

5. Considering the limited scope of the prayer sought for herein and having regard to the said submissions made by the learned counsel appearing for both sides, this Court is inclined to dispose of this writ petition with the following order:

That there shall be a direction to the respondents, especially the first respondent to consider the representation of the petitioner dated 22.11.2021 and earlier representations if any made and decide the same on merits and in accordance with law and communicate the decision to the petitioner within a period of six weeks from the date of receipt of a copy of this order.

6. With this direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

True Copy//

Sub Assistant Registrar



mp/Sgl

To

1. The Special Officer,
Tamil Nadu State Transport Corporation Employees,
Co.Operative Society, Tenampet,
Chennai - 600 018.
2. The President,
Tamil Nadu State Transport Corporation Employees,
Co.Operative Society, Tenampet,
Chennai - 600 018.

+1cc to Mr.R.Anbalagan, Advocate, S.R.No.920
+1cc to the Government Pleader, S.R.No.1072

W.P.No.28457 of 2021

PVS[co]
NSK 28/01/2022