



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:06.04.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD)No.3060 of 2021

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A.Soundararajan

... Petitioner

Vs.

1.The Secretary (Housing)
Government of Tamilnadu
Secretariat
Fort St. George,
Chennai 600 001.

2.The Registrar (Housing)
Tamil Nadu Cooperative Housing Federation
No.48 Ritherdon Raod
Veppery
Chennai 600 007.

3.The Regional Deputy Registrar (Housing)
Plot No.28-A 3rd street
Thulajapuram Colony
Thanjavur 613 907

4.The Cooperative Sub Registrar (Housing)/
Liquidation Officer,
No.1/3107 Daniel Thomas Nagar
Thanjavur 613 007

5.ZA 137 Thiruvarur cooperative Housing Society Ltd.,
36E South Street Madi
Thiruvarur 610 001
Thiruvarur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 3rd respondent in Na.Ka.No.1280/2019 Sapa dated 23.01.2020 and quash the same and direct the respondents to settle the petitioner's retirement benefits such as Gratuity, Earned Leave, Provident Fund and arrears of 23 month salary and other retirement benefits payable to the petitioner along with a reasonable rate of interest within the time frame that may be stipulated by this Court.

For Petitioner

: Mr.N.Sudhagar Nagaraj

For Respondents

: Mr.M.Ramesh for R1 to R4

Government Advocate

No appearance for R5



ORDER

The petitioner admittedly was working as the Secretary of Thiruvarur Circle cooperative Housing Society Limited, which is a society registered under the provisions of the Tamil Nadu Cooperative Societies Act, 1983.

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2.The grievance of the writ petitioner is that his terminal and pensionary benefits due to him are yet to be settled. In this regard, the learned counsel for the petitioner drew the attention of this Court with reference to the orders passed by the Deputy Registrar of cooperative Societies (Housing) in proceedings dated 23.01.2020.

3.Inspite of the order, the benefits are yet to be settled. If at all the orders passed by the Deputy Registrar is not implemented properly by the Society, the petitioner is at liberty to prefer a revision petition under Section 153 of the Cooperative Societies Act, 1983 before the Registrar (Housing) for redressal of grievance in the manner known to law. If any such revision petition is filed by the petitioner, the period during which the writ petition was pending before this Court is to be taken into consideration for the purpose of condoning the delay, if any and the issues are to be decided on merits and in accordance with law. The Registrar (Housing) has to consider that the relief sought is regarding payment of terminal and pensionary benefits and therefore, the revision if filed to be disposed of expeditiously.

4.The writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

RR

To

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+1 CC to M/s.SPL.GP (SR-17149[F] dated 07/04/2022)

W.P. (MD)No.3060 of 2021
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SJ(CO)
KB(20.04.2022) 3P 6C