



W.P.(MD)No.6600 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.6600 of 2020

P.Karunanithi

... Petitioner

Vs.

1.The Registrar of Cooperative Societies,
No.170, E.V.R. Highways,
Kilpauk,
Chennai.

2.The Deputy Registrar of Co-operative Society,
O/o.Deputy Registrar of Co-operative Society,
Pattukottai,
Thanjavur District.

3.The Secretary,
Pattukottai Primary Co-operative Agricultural
and Rural Development Bank Ltd.,
Pattukottai,
Thanjavur District.

... Respondents



W.P.(MD)No.6600 of 2020

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to pay a sum of Rs.1,60,610/- along with interest which was deducted from out of the contribution made by the petitioner to the Employees Provident Fund in violation of Section 78(2)(c) of Tamilnadu Co-operative Societies Act on the basis of the petitioner's representation, dated 15.12.2017.

For Petitioner : No Appearance

For Respondents : Mr.A.Baskaran,
Additional Government Pleader

ORDER

This Writ Petition has been filed to direct the respondents to pay a sum of Rs.1,60,610/- along with interest which was deducted from out of the contribution made by the petitioner to the Employees Provident Fund in violation of Section 78(2)(c) of Tamilnadu Co-operative Societies Act on the basis of the petitioner's representation, dated 15.12.2017.



W.P.(MD)No.6600 of 2020

WEB COPY

2. The case of the petitioner is that the petitioner is a retired employee of the third respondent Society. He claimed that he rendered unblemished service for 38 years. While the petitioner was in service, the petitioner salary was revised on the basis of Section 18(1) settlement arrived as per the Industrial Disputes Act and subsequent to the above settlement, G.O.Ms.No.186 was issued on 16.08.2022 and thereby directed the Co-operative Bank to deduct the amount from the salary excessively paid to the employees on the basis of 18(1) settlement. However, the third respondent Bank had not refixed the salary of the employee in terms of G.O.Ms.No.186. However, during his employment, the recovery order was passed and after the retirement, the respondent's society deducted the provident fund amount from the petitioner's retirement benefits and deducted the provident fund amount of Rs.1,60,610/-. The petitioner made a representation on 15.12.2017 in this regard and no order was passed, till date. Hence, the present writ petition is filed with the aforesaid prayer.



W.P.(MD)No.6600 of 2020

WEB COPY

3. Considering the limited request sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the representation submitted by the petitioner on 15.12.2017 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

4. With the above direction, this writ petition is disposed of.

No costs.

12.12.2022

Index : Yes/No
Internet : Yes / No
RM



W.P.(MD)No.6600 of 2020

To
WEB COPY

- 1.The Registrar of Cooperative Societies,
No.170, E.V.R. Highways,
Kilpauk,
Chennai.
- 2.The Deputy Registrar of Co-operative Society,
O/o.Deputy Registrar of Co-operative Society,
Pattukottai,
Thanjavur District.
- 3.The Secretary,
Pattukottai Primary Co-operative Agricultural
and Rural Development Bank Ltd.,
Pattukottai,
Thanjavur District.



WEB COPY



W.P.(MD)No.6600 of 2020

M.DHANDAPANI,J.

RM

W.P.(MD)No.6600 of 2020

12.12.2022