



W.P(MD)No.22678 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.22678 of 2019

R.Muthu

... Petitioner

Vs.

1.The Joint Registrar of Co-Operative Societies,
Madurai Region, Madurai.

*(R1 is deleted from array of parties vide
order dated 06.09.2022 in
W.M.P.(MD)No.22 of 2020 in
W.P.(MD)No.22678 of 2019 by GRSJ)*

2.The President,
A-2939, Sithalankudi Primary Agricultural
Co-Operative Credit Society,
Sithalankudi,
Vadipatti Taluk,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to settle service benefit of Rs.8,09,246/- towards gratuity, provident fund and earned leave salary with interest at the rate of 18% per annum from the date of due within time framed to be fixed by this Court.



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W.P(MD)No.22678 of 2019

For Petitioner : Mr.S.Kumar

For Respondents : Mr.M.Thirunavukarasu for R2.

ORDER

Heard the learned counsel on either side.

2.The petitioner worked in the second respondent society till 2009. He is presently working in Madurai Central Co-Operative Bank from 19.06.2009 onwards. All that the petitioner seeks is only payment of his gratuity, provident fund and earned leave salary.

3.No exception can be taken to the petitioner's request. The learned counsel for the society is ready with a cheque for a sum of Rs.50,000/-. It is hoped that the said cheque will be honoured. For payment of the balance amount, the learned counsel for the society pleads financial crisis. The fact that the second respondent society is facing financial crisis cannot be an answer at all. However, taking note of the special facts and circumstances of the case, even while directing the second respondent to pay a sum of Rs.50,000/- to the petitioner forthwith by way of cheque, the balance amount is directed to be paid within a period of two years. The second respondent will start making



W.P(MD)No.22678 of 2019

payments in installments but the final settlement will have to be done within a period of two years from today.

4.The writ petition is allowed on these terms. No costs.

21.09.2022

Index : Yes / No
Internet : Yes/ No
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W.P(MD)No.22678 of 2019

G.R.SWAMINATHAN, J.

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W.P(MD)No.22678 of 2019

21.09.2022