



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:28.04.2022

CORAM:

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

W.P. (MD)No.25468 of 2019

WEB COPY

R.Dhamodharan

... Petitioner

Vs.

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

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

3.The Regional Deputy Registrar (Housing)
No.1/3107 Daniel Thomas Nagar
Thanjavur.

4.The Manager/Secretary (Incharge)
Mannai Narayanasamy Town Cooperative
Housing Society Ltd.,
T.1110 Mannargudi
Thiruvarur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to settle the petitioner's retirement benefits as follows:

a.Gratuity	:	Rs.4,08,523.00
b.Provident Fund	:	Rs.5,34,322.00
c.Security Deposit	:	Rs. 1,249.00

Rs.9,44,094.00

payable to the petitioner with 18% rate of interest within the time frame that may be stipulated by this Court.

For Petitioner : Mr.K.Sudhagar Nagaraj

For Respondents : Mr.M.Ramesh
Government Advocate



ORDER

The relief sought for in the present writ petition is to direct the respondents to settle the petitioner's retirement benefits along with interest.

2.The petitioner was working as Secretary of the 4th respondent Government Housing Society. Surcharge proceedings were initiated against the writ petitioner under Section 87 of the Cooperative Societies Act.

3. The learned Additional Government Pleader made a submission that surcharge proceedings initiated against the writ petitioner was concluded and the Deputy Registrar (Housing) passed the final orders under Section 87 of the Cooperative Societies Act. Therefore, the authorities have to initiate all further actions to do the needful with reference to the recovery and the amount due to the society as well as to the writ petitioner.

4. In view of the fact that the surcharge proceedings were already completed and final order has been passed, the respondents are directed to initiate all further action in the manner known to law and under the provisions of the Cooperative Societies Act and Rules.

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

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

RR

To

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MGJ(25.05.2022) 2P 4C

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