



W.P.No.2683 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.2683 of 2022
and W.M.P.No.2848 of 2022

T.Ramalingam

.. Petitioner

Versus

1.The Joint Registrar of Co-operative
Societies,
Villupuram Region, Villupuram,
Villupuram District.

2.The Deputy Registrar of Co-operative
Societies,
Tirukoilur Circle,
Tirukoilur,
Kallakurichi District.

3.The President,
I.I.606, Arasur Primary Agricultural
Co-operative Credit Society,
Arasur & Post – 607 107,
Thiruvannainallur Taluk,
Villupuram District.

.. Respondents



W.P.No.2683 of 2022

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to disburse the petitioner's retirement benefits along with arrears of salary to the tune of Rs.16,37,592/- to the petitioner consequently they may recover the same from the 3rd respondent Society by initiating appropriate proceedings by way of attaching the 3rd respondent society properties.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.S.Arumugham
Government Advocate

ORDER

This writ petition has been filed to direct the respondents 1 and 2 to disburse the petitioner's retirement benefits along with arrears of salary to the tune of Rs.16,37,592/- to the petitioner consequently they may recover the same from the 3rd respondent Society by initiating appropriate proceedings by way of attaching the 3rd respondent society properties.

2. The writ petitioner was appointed as Office Assistant in the 3rd respondent society on 01.07.1986 and he was retired from service on



W.P.No.2683 of 2022

31.01.2020. Even during his service, he was not paid salary for 55 months

ie., from 01.09.2003 to 31.03.2008. Therefore, he has made several representations before the respondents, which have not been considered by the respondents and further his retirement benefits were also not disbursed.

3. It is the contention of the learned Government Advocate for the respondents that the society is in financial crisis therefore, some time may be given to pay the amount.

4. This Court is at loss to understand the submission, salary and retirement benefits are the only primary source for the livelihood of a retired person and the same cannot be withheld. It is for the society to pay the retirement benefits even by way of raising the loan at the first instance.

5. In such view of the matter, there shall be a direction to the 3rd respondent society to pay the arrear amount and all the retirement benefits to the petitioner with interest at 7% per annum, within a period of three months from the date of receipt of a copy of this order.



W.P.No.2683 of 2022

6. With the above direction, the writ petition stands disposed of. There shall be no order as to costs. Consequently, connected writ miscellaneous petition is closed.

07.07.2023

ata

Index : Yes / No

Speaking Order : Yes / No

To

- 1.The Joint Registrar of Co-operative Societies,
Villupuram Region, Villupuram,
Villupuram District.
- 2.The Deputy Registrar of Co-operative Societies,
Tirukoilur Circle,
Tirukoilur,
Kallakurichi District.
- 3.The President,
I.I.606, Arasur Primary Agricultural Co-operative Credit Society,
Arasur & Post – 607 107,
Thiruvannainallur Taluk,
Villupuram District.



WEB COPY



W.P.No.2683 of 2022

N.SATHISH KUMAR, J.

ata

W.P.No.2683 of 2022

07.07.2023