



WEB COPY



W.P. No. 8822 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 8822 of 2023

J.Thulasingam

... Petitioner

-VS-

1. The Deputy Registrar of Co-op. Societies
Villupuram Circle, Villupuram
Villupuram District.

2. The President
E-2028, Kandamanadi Primary Agricultural
Co-operative Credit Society
Kandamanadi – 605 401, Villupuram Taluk
Villupuram District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to disburse the Petitioner's retirement benefits like remaining Employees Provident Fund, Earned Leave and Un-Earned Leave on private affairs to the Petitioner by taking note of order passed in W.A. No. 1466 of 2015, dated 08.02.2019.

For Petitioner : Mr. C.Prakasam

For Respondents : Mrs. R.Anitha (R1)
Special Government Pleader

K.V.Sanjeev Kumar (R2)



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ORDER

Heard Mr. C.Prakasam, Learned Counsel for the Petitioner and Mrs. R.Anitha, Learned Special Government Pleader appearing for the First Respondent and Mr. K.V.Sanjeev Kumar, Learned Counsel appearing for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that though he was relieved from the service of the Second Respondent on 29.04.2017, the employer's contribution towards provident fund of Rs. 1,62,605/- and surrender of earned leave of Rs. 1,25,184/- aggregating to Rs. 2,87,789/- remains unpaid to him.

3. Learned Counsel for the Second Respondent has filed memo dated 26.04.2023 and 28.04.2023 accepting that that the said amount is payable to the Petitioner, but in view of the financial position of the Second Respondent, it is undertaken to make payment of the said amount in 10 equal monthly installments on the last day of every month commencing from May 2023 to February 2024, which is placed on record. It is made clear that no view has been expressed by the Court on the correctness or entitlement of the Petitioner



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to receive any other terminal benefits or other dues that remains payable to him

and in the event of the Second Respondent committing default in payment of any installment, the Petitioner is not precluded from working out his remedies before the proper forum in the manner recognized by law.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

28.04.2023

Maya

Index: Yes/No

Note: Issue order copy by 06.10.2023.

To

1. The Deputy Registrar of Co-op. Societies
Villupuram Circle, Villupuram
Villupuram District.
2. The President
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P.D. AUDIKESAVALU, J.

Maya

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