



W.A.No.3845 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2023

CORAM

THE HON'BLE Mr. JUSTICE R.SURESH KUMAR
AND
THE HON'BLE Mr. JUSTICE G.ARUL MURUGAN

W.A.No.3845 of 2019
and
C.M.P.No.24232 of 2019

The Management,
Kodavasal Cooperative Primary Agricultural
and Rural Development Bank Ltd.,
Rep. By its Special Officer,
Thirukulam South,
Kodavasal Post & TK,
Thiruvarur District.

... Appellant

Vs.

1.U.Anbalagan

2.The Joint Registrar of Cooperative Societies,
Thiruvarur Region,
Collectorate,
Thiruvarur.

3.The Deputy Registrar of Cooperative Societies
Old Nagapattinam Road,
Thiruvarur.

... Respondents

Prayer : Appeal filed under Clause 15 of the Letters Patent Act, praying
to set aside the order dated 20.12.2018 made in W.P.No.23730 of 2008.



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For Appellant : Mr.P.Nethaji

For Respondents : Mr.V.V.Sathya for R1

: Mr.R.Kumaravel
Additional Government Pleader
for R2 & R3

JUDGMENT

(Judgment of the Court was delivered by R.SURESH KUMAR, J.)

This appeal has been directed against the order passed by the Writ Court dated 20.12.2018 made in W.P.No.23730 of 2008.

2. By the said order the Writ Court has given the following directions.

“14. Accordingly, this Court of the view that the impugned order has to be set aside and entitling the petition to gratuity and other retirement benefits. Therefore, this Writ Petition is allowed and the impugned order is quashed. Further, the fifth respondent herein is directed to settle the gratuity and other retirement benefits with 12% of interest, within a period of eight weeks from the date of receipt of a copy of this order.”



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3. Aggrieved over the same, the appellant Society has preferred this intra Court appeal.

4. Today when the case is taken up for hearing, Mr.P.Nethaji, learned counsel appearing for the appellant on instruction would submit that, during the pendency of the writ appeal, the orders passed by the Single Judge having been accepted was complied with and in support of his contention, he has relied upon the proceedings dated 12.08.2022 and 20.10.2023 as well as two cheques dated 25.10.2023 under which the entire due payable to the 1st respondent by the appellant Society as directed by the Writ Court through the impugned order since has been paid, nothing is surviving in this writ appeal, he submitted.

5. The said submission made by the learned counsel appearing for the appellant is not controverted by the learned counsel appearing for the respondents, who, on instructions, would submit that, the said amount has been received by the 1st respondent.

6. In view of the aforestated, during the pendency of the writ appeal, as orders of the learned Single Judge since has been complied



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with by the appellant, nothing survives to adjudicate further in this

appeal, accordingly the Writ Appeal is dismissed. No costs.

Consequently, connected miscellaneous petition is also dismissed.

[R.S.K., J.]

[G.A.M., J.]

10.11.2023

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

Sgl



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To

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Thiruvarur Region,
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Thiruvarur.
- 2.The Deputy Registrar of Cooperative Societies
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