



W.P.No.35550 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2023

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.No.35550 of 2016

1. T.R.Durairaj (deceased)
2. Malar
3. Rajkumar
4. Janadha
5. Devendran

.. Petitioners

[Petitioners 2 to 5 (LRs) substituted  
in the place of the deceased petitioner  
vide order dated 30.06.2023 in  
WMP No.31743 of 2019]

Vs.

1. The Secretary  
Paravakottai Thodaka Velanmai  
Kooturavu Vangi Ltd.  
Paravakottai, Thiruvvarur District.
2. The Deputy Registrar  
Tamil Nadu Co-operative Societies  
Government of Tamil Nadu  
Mannarkudi Taluk  
Mannarkudi.
3. Regional Provident Fund Commissioner II  
Employees Provident Fund Organisation  
(Tamil Nadu and Puducherry)  
18, Shri Complex, D Block  
Post Box 588, Madurai Main Road  
Trichy 620 008.

.. Respondents



W.P.No.35550 of 2016

**PRAYER:** Petition under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus calling for the records connected with impugned order vide proceedings Na.Ka.2185/2014/sa.pa dated 07.09.2015 passed by the second respondent and quash the same and direct the respondents 1 to 3 to immediately disburse the retirement benefits of the petitioner amounting to a total of Rs.6,08,081/- instead of Rs.4,13,868.33 as admitted by the second respondent along with 12% interest from the date of retirement to till the date of realization.

For the Petitioners : MR.G.P.Arivuchudar

For the Respondents : Mr.L.P.Shanmugasundaram  
for Respondents 1 & 2

Mrs.R.Meenakshi  
for Respondent-3

### **ORDER**

The petitioner has approached this Court seeking to quash the impugned proceedings dated 07.09.2015 on the file of the second respondent and to consequently direct the respondents to disburse his retirement benefits to the tune of Rs.6,08,081/-, instead of Rs.4,13,868.33 together with interest at 12% from the date of his retirement.



W.P.No.35550 of 2016

WEB COPY

2. The second respondent has filed a counter justifying their calculation at Rs.4,13,868.33.

3. Learned counsel for the petitioner would submit that if this amount is paid together with some simple interest, the petitioner would be satisfied.

4. Considering the above, the second respondent is directed to pay a sum of Rs.4,13,868.33, together with interest at 6% per annum from the date of the petitioner's retirement, namely 31.03.2007. The first respondent shall settle the said amount in four equal instalments and at any rate, on or before 31.01.2024. Since this order is passed in writ petition, the second respondent is directed to issue formal approval for releasing payment to the legal heirs of the deceased petitioner.

5. This writ petition is ordered accordingly. There will be no order as to costs. Consequently, WMP No.11925 of 2019 is closed.

30.06.2023

Index : Yes/No  
Neutral Citation : Yes/No  
kpl



W.P.No.35550 of 2016

WEB COPY

To

1. The Secretary  
Paravakottai Thodaka Velanmai  
Kooturavu Vangi Ltd.  
Paravakottai, Thiruvavarur District.
2. The Deputy Registrar  
Tamil Nadu Co-operative Societies  
Government of Tamil Nadu  
Mannarkudi Taluk  
Mannarkudi.
3. Regional Provident Fund Commissioner II  
Employees Provident Fund Organisation  
(Tamil Nadu and Puducherry)  
18, Shri Complex, D Block  
Post Box 588, Madurai Main Road  
Trichy 620 008.



WEB COPY



W.P.No.35550 of 2016

**P.B.BALAJI,J.**

(kpl)

W.P.No.35550 of 2016

30.06.2023