



W.P.No.16135 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2023

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.16135 of 2020

and

W.M.P.No.20120 of 2020

N.Chandirababu

... Petitioner

Vs.

1.The Secretary,
The Panruti Cooperative Housing Society Limited,
E 2027, Kamaraj Nagar, Vadakailasam,
Panruti – 607 106,
Cuddalore District.

2.The Registrar of Housing Cooperative Societies,
No.48, Ritherton Road,
Chennai – 600 007.

3.The Deputy Registrar (Housing)
South Kavarai Street,
Panruti – 607 106,
Cuddalore District.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the first respondent to release the terminal benefits of the petitioner forthwith with interest at 12% per annum.



W.P.No.16135 of 2020

For Petitioner : M/s.K.Madhu
For Respondent 1 : Mr.L.P.Shanmugasundaram
For Respondents 2 & 3 : M/s.P.Vijaya Devi,
Government Advocate

ORDER

The petitioner has filed this writ petition seeking direction to the first respondent to release the terminal benefits of the petitioner forthwith with interest at 12% per annum.

2. The case of the petitioner is that the petitioner viz., N.Chandirababu joined the service of the first respondent society on 18.04.1979 as Last Grade Government Servant and after attaining the age of superannuation, he got relieved on 31.01.2017. Since then, he was not been given the retirement benefits till date. Hence, he made a representation dated 15.09.2018 to the Chief Minister Cell and the same was forwarded to the second respondent, who is the head of first and third respondent. Based on the instruction from the second respondent, the first respondent sent a reply letter dated 15.05.2019 stating that due to the bad financial position, the first respondent is not in a position to settle the terminal benefits payable to the petitioner and



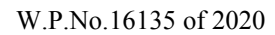
W.P.No.16135 of 2020

specifically admitted that he is entitled for a sum of Rs.14,31,741/- and the petitioner has to owe a sum of Rs.59,421 to the respondent. Aggrieved over the same, the petitioner has come forward with the present writ petition.

3. Learned counsel for the petitioner submitted that though very many grounds have been raised in this writ petition, it would suffice, if this Court issues direction to the first respondent to release the terminal benefits payable to the petitioner forthwith with an interest at 12% per annum within a time frame to be fixed by this Court.

4. Learned Government Advocate appearing for the 2 & 3 respondent submitted that the society is ready to settle the terminal benefits payable to the petitioner along with 6% interest per annum and sought permission of this Court to settle the same in four equal monthly installments.

5. Heard the learned counsel on either side and perused the materials available on record.



07.08.2023 (vm)



W.P.No.16135 of 2020

Index : Yes/No
Speaking Order : Yes/No

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W.P.No.16135 of 2020

J.SATHYA NARAYANA PRASAD,J.

vm

W.P.No.16135 of 2020



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W.P.No.16135 of 2020

07.08.2023