



WEB COPY



WP.No.25420 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.25420 of 2023

A.Meenatchi

.. Petitioner

Versus

1.The Registrar of Cooperative Societies
No.170, NV Natarajan Maaligai
Periyar EVR High Road, Poonamallee High Road
Kilpauk, Chennai – 600 010

2.The Joint Registrar of Cooperative Societies
Cuddalore Region
Manjakuppam, Cuddalore – 607 001

3.The Deputy Registrar of Cooperative Societies
Kurinji Nagar
Virudhachala, Cuddalore District – 606 001

4.I.I.519, Mangalampettai Primary
Agri. Co-Op.Credit Society
Represented by its Registrar
72, Mangalampettai
Virudhachalam – 606 104

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to release the retirement benefits and other dues of the petitioner's husband Mr.Arumugam as directed by the Judicial Magistrate-II, Panruti vide Order dated 08.10.2015.



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For Petitioner : Ms.Shuwakitha
for Mr.Sharath Chandran

For Respondents : Mr.S.Prabhakaran
Government Advocate

ORDER

This writ petition has been filed seeking to direct the third respondent to release the retirement benefits and other dues of the petitioner's husband Mr.Arumugam as directed by the Judicial Magistrate-II, Panruti vide Order dated 08.10.2015.

2. It is the grievance of the petitioner that her husband was released on probation for good conduct and the alleged misappropriation is also paid with interest and the retirement benefits is not paid. Hence, the petitioner submitted a representation in this regard on 20.07.2023 and the same is pending without consideration. Hence, seeks a direction.

3. Heard both sides and perused the materials placed on record. This Court is of the view that though the petitioner's husband was originally charge-sheeted for the alleged misappropriation of funds in C.C.No.211 of 2012 before the learned Judicial Magistrate No.2, Panruti, the fact remains that her husband was released on probation of good conduct in a judgment dated 08.10.2015 by the learned Judicial Magistrate No.2, Panruti. The releasing of



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the petitioner's husband on probation will not affect his retirement benefits and the judgment has also reached finality in the year 2015 itself. Now, it is not disputed that the alleged misappropriation amount has already been paid with interest.

4. Such view of the matter, the respondents cannot withhold the retirement benefits. Hence, there shall be a direction to the respondents to release the retirement benefits payable to the petitioner within a period of two months from the date of receipt of a copy of this Order.

5. In view of the above, this writ petition stands disposed of. No costs.

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dhk

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

N.SATHISH KUMAR, J.



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