



W.P.No.27001 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.27001 of 2023

V.Ramesh Babu

... Petitioner

Vs

1. The Registrar,
Co-operative Society [Housing],
Tamilnadu Co-operative Housing Federation Campus,
No.48, Ritherdon Road, Vepery, Cehnnai – 600 007.
 2. The Deputy Registrar [Housing],
No.873, Gandhi Nagar East, Vellore – 632 006.
 3. The President,
K.K.361 Hosur Co-operative Housing Society Limited,
Telephone Exchange Road, Hosur – 635 109,
Krishnagiri District.
 4. The Secretary,
K.K.361 Hosur Co-operative Housing Society Limited,
Telephone Exchange Road, Hosur – 635 109,
Krishnagiri District.
- ... Respondents

Prayer:- Writ Petition filed, under the Article 226 of Constitution of India, to



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issue a Writ of Mandamus directing the Respondents to pay the arrears of Salary of Rs.52,09,981 /-payable from the month of November 2013 to June 2022 along with the interest at the rate of 18 percent per annum to till the date of payment and also further direct the Respondents to pay the retirement benefits viz. gratuity encashment of leave Salary Provident Fund and Security deposit along with the interest at the rate of 18 percent per annum to till the date of payment within the time to be stipulated by this Court by considering the Petitioners representations dated 28.11.2022 and 30.12.2022.

For petitioner : Mr.Sayed Shuhaibb

For Respondents : Mr.V.Jeevagiridharan,
Additional Government Pleader – R1 & R2

Mrs.P.Vijayadevi
Government Advocate – R3 & R4

ORDER

This Writ Petition has been filed to direct the Respondents to pay the arrears of Salary of Rs.52,09,981 /-payable from the month of November 2013 to June 2022 along with the interest at the rate of 18 percent per annum to till the date of payment and also further direct the respondents to pay the retirement benefits viz. gratuity encashment of leave Salary Provident Fund and Security deposit along with the interest at the rate of 18



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percent per annum to till the date of payment within the time to be stipulated by this Court by considering the Petitioners representations dated 28.11.2022 and 30.12.2022.

2. The petitioner was working as a Junior Clerk under respondents 3 and 4. He retired from service on 30.06.2022. It is the grievance of the petitioner that his salary and other allowances were not paid to the petitioner from the month of November, 2013 to till the date of Superannuation and his terminal benefits has also not been disbursed to the petitioner. In this regard, the petitioner has given several representations to the respondents. However, the same have not been considered by the respondents. Hence, the present Writ Petition.

3. Heard Mr.S.A.Sayed Shuhaibb, learned counsel appearing for the petitioner, Mr.V.Jeevagiridharn, learned Additional Government Pleader appearing for the first and second respondents and Mrs.P.Vijayadevi, learned Government Advocate appearing for the third and fourth respondents.



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4. I have perused entire materials available on record. A perusal of the reply given by the third indicate that there is no disciplinary proceedings whatsoever pending against the petitioner and he has already been retired from service. Since, the petitioner has not handed over certain records, that cannot be a ground to withhold the terminal benefits of the petitioner.

5. In such view of the matter, the third respondent is directed to release the salary arrears and terminal benefits along with interest at the rate of 4% from the date of his retirement till the date of settlement of the entire retiral benefits of the petitioner within a period of two months from the date of receipt of a copy of this Order.

6. With the above directions, this Writ Petition is disposed of. No costs.

14.09.2023

Index: Yes/No

Neutral Citation : Yes/No



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N.SATHISH KUMAR, J.

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