



W.P(MD)No.5423 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5423 of 2023
and
W.M.P(MD)Nos.5072 & 6423 of 2023

S.Anbalagan

... Petitioner

Vs

- 1.The Principal Secretary to Government of Tamil Nadu,
Department of Housing and Urban Development,
Secretariate,
Chennai – 9.
- 2.The Registrar of Housing Societies,
Office of the Registrar Housing Societies,
Chennai.
- 3.The Managing Director,
Tamil Nadu Co-operative Housing Federation,
48-Rithortam Road,
Vepery,
Chennai – 600 007.
- 4.The Deputy Registrar of Housing Societies,
3D, Salai Mani Nagaram,
Virudhunagar Post and District.



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5.The President,
MDA HSG 108,
Srivilliputhur Co-operative Housing Society,
N.G.G.O.Colony,
Srivilliputhur Post,
Virudhunagar District.

6.A.Subramanian

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the fifth respondent to disburse the retirement benefits of the petitioner.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.T.Villavan Kothai
Additional Government Pleader
for R.1 to R.4

Mr.R.Saravanan for R.5

Mr.S.Vijayakumar for R.6

ORDER

Heard the learned counsel on either side.

2.The petitioner is a retired employee of the respondent society. The petitioner's grievance is that his retirement benefits have not been settled as on date. It is also stated that there are number of similarly placed retired employees. The sixth respondent is also likely to retire shortly. The



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Management is therefore directed to evolve an equitable formula so that all the retired employees of the society are paid either in installments or on pro-rata basis. The seniority of the retired employees will also be borne in mind. If even after expiry of the reasonable period, there is no reasonable settlement, it is open to the petitioner herein to file a fresh writ petition for even liquidating and winding up the society so that out of the proceeds, the benefits payable to the retired employees can be settled.

3.This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

28.03.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

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