



DATED:01.02.2023

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.14803 of 2020

A.Nagarajan

... Petitioner

Vs.

1. The Registrar of Cooperative Societies,
Kilpauk,
Chennai.
2. The Deputy Registrar of Cooperative Societies,
Srivilliputhur,
Virudhunagar.
3. The Joint Registrar of Cooperative Societies,
Virudhunagar Region,
Virudhunagar District.
4. The Special Officer,
Q 774, Watrap Primary Agricultural
Cooperative Credit Society,
Watrap,
Srivilliputhur Taluk,
Virudhunagar District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 3rd and 4th respondents to grant the petitioner retiral benefits within the stipulated time period fixed by this Court.



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For Petitioner : Mr.U.Antony Santhose
For R-1 to R-3 : Mr.A.Sivani Pandian,
Government Advocate
For R-4 : Mr.D.Shanmugaraja Sethupathi

ORDER

This writ petition has been filed, seeking for a direction to the 3rd and 4th respondents, to grant the petitioner retiral benefits within the stipulated time period to be fixed by this Court.

2. The case of the petitioner is that the petitioner served as a Secretary in the fourth respondent Society from 10.01.1976 and due to his ill-health, he resigned the job on 06.03.2004. The same was not accepted at the relevant point of time. Thereafter, on 22.11.2006, he made a request to the respondents to reinstate him into service. However, after a lapse of 35 months, the resignation of the petitioner was accepted through a resolution. Subsequently, the petitioner filed a writ petition in W.P(MD)No.10864 of 2010, for disbursement of monetary benefits due to the petitioner. However, the said writ petition was dismissed. Again the petitioner made a representation on 03.08.2020 seeking disbursement of monetary benefits. As the same was not



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considered, the petitioner has filed this writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner, would submit that it would suffice, if this Court directs the respondents 3 and 4, to consider the representation of the petitioner, dated 03.08.2020, on merits and in accordance with law.

4. Per contra, the learned counsel appearing for the fourth respondent would submit that for the very same relief, already the petitioner has filed a writ petition in W.P(MD)No.10864 of 2010 and this Court vide order, dated 10.11.2011, dismissed the writ petition with an observation to work out the remedy before the competent authority. However, without approaching the competent authority, again the petitioner has made a representation and filed this writ petition and the same is not maintainable and liable to be dismissed.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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6. Earlier, the petitioner has filed a writ petition in W.P(MD)No.10864 of 2010 seeking disbursement of monetary benefits and the same was dismissed with liberty to work out the remedy. However, without approaching the competent authority or filing an appeal before the Division Bench, the petitioner has filed this writ petition with the very same prayer and the same is not maintainable.

7. In the result, this writ petition is dismissed. No Costs.

01.02.2023

pm
NCC:Yes/No
Index:Yes/No
To:

- 1.The Registrar of Cooperative Societies,
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Chennai.
- 2.The Deputy Registrar of Cooperative Societies,
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Virudhunagar.
- 3.The Joint Registrar of Cooperative Societies,
Virudhunagar Region,
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M.DHANDAPANI, J.

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