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W.P.(MD)NO.15130 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 26.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.15130 of 2023

S.Arokiasamy

... Petitioner

Vs.

1. The Principal Secretary to Government of Tamil Nadu,
Department of Co-operation,
Food and Consumer Protection,
Secretariat,
Chennai – 600 009.
2. The Registrar of Co-operative Societies,
Kilpauk, Chennai – 600 010.
3. The Joint Registrar of Co-operative Societies,
Pudukkottai.
4. The President,
Keeranur Co-operative Primary Agricultural and Rural
Development Bank Ltd.,
Keeranur Post, Kulathur Taluk,
Pudukkottai District.
5. The Secretary,
Keeranur Co-operative Primary Agricultural and Rural
Development Bank Ltd.,
Keeranur Post, Kulathur Taluk,
Pudukkottai District.

... Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the fourth respondent to release the petitioner's retirement benefits in full with 12% interest p.a.

For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mr.S.Shanmugavel,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner retired from the fourth respondent society as Secretary way back on 31.08.2007. He was allowed to retire. Only a part of the retirement benefits has been settled. Seeking disbursement of the balance amount, the present writ petition has been filed.

3. No exception can be taken to this request. It appears that the society in question is facing difficulties. That cannot be a ground. If in spite of the order passed by this Court, the benefits are not disbursed, the society itself may have to be wound up ultimately. This question can be considered at later stage. For the present, a direction is given to the



respondents to settle the petitioner's retirement benefits in full. In other words, the balance amount has to be paid as expeditiously as possible.

The question of payment of interest may not arise. If the balance amount is settled within a period of three months, it shall not carry any interest. If it is not paid within the aforesaid period, it shall carry interest @ 6% p.a. from the date of the petitioner's original entitlement. This writ petition stands allowed on these terms. No costs.

26.06.2023

NCS : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU



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Food and Consumer Protection,
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Chennai – 600 009.
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G.R.SWAMINATHAN,J.

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