



W.P(MD).No.9211 of -----

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2023

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THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

W.P(MD)No.9211 of 2018

A.Rajendran

... Petitioner

Vs.

1.The President,
N.N.626, Kannanoor Primary
Agricultural Co-operative Credit Society,
Periyakannanoor,
Sivagangai District.

2.The Joint Registrar of Co-operative Societies,
Sivagangai, Sivagangai District.

3.The Deputy Registrar of Co-operative Societies,
Sivagangai, Sivagangai District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to disburse the arrears of salary and other benefits of the petitioner to the tune of Rs.24,70,894/- on the basis of the petitioner's representation dated 05.03.2018 within a time frame fixed by this Court.

For Petitioner : Mr.J.Jeyakumaran

For Respondents : Mr.L.George Paul Anto (for R1)

Mr.A.Baskaran (for R2 & R3)
Additional Government Pleader



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ORDER

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This writ petition has been filed to direct the first respondent to disburse the arrears of salary and other benefits of the petitioner to the tune of Rs.24,70,894/- on the basis of the petitioner's representation, dated 05.03.2018, within a time frame fixed by this Court.

2.The learned counsel for the petitioner submitted that petitioner was working as Secretary in the first respondent Society. The petitioner, while working as secretary of the said society, misappropriate a sum of Rs.33,69,892/- in jewel loan and a sum of Rs.44,892/- towards shortage of cash and stock deficit. Thereby, the petitioner was placed under suspension on 05.12.2013 and dismissed from service on 01.10.2014 after following due process of law. Thereafter, the removal order was challenged before the Deputy Commissioner of Labour in TNSE.No.15 of 2014 and the Deputy Commissioner of Labour passed order in favour of the petitioner and set aside the order of dismissal. In the meanwhile the petitioner was superannuated and a direction was issued to the respondent to settle the benefits in favour of the petitioner and the same was not considered. Hence, this Court may issue a direction to the respondents to consider the petitioner's representation dated 05.03.2018 in terms of order passed by the Deputy Commissioner of Labour, dated 31.07.2017.



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3. The learned Additional Government Pleader appearing for the official respondents has no serious objection for such an order being passed by this Court.

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4. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioner's representation, dated 05.03.2018 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, if there is no legal impediment.

5. With the above direction, this Writ Petition is disposed of. No costs.

06.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1.The President,
N.N.626, Kannanoor Primary
Agricultural Co-operative Credit Society,
Periyakannanoor,
Sivagangai District.

2.The Joint Registrar of Co-operative Societies,
Sivagangai, Sivagangai District.

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M.DHANDAPANI, J.

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