



W.P.(MD).No.12532 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.13532 of 2018

M.Sethuramalingam

... Petitioner

vs.

- 1.The Regional Joint Registrar of
Co-operative Societies,
Office of the Regional Joint Registrar of
Co-operative Societies,
Kanaga Apartments,
Chinnachokkikulam,
Madurai 625 002.
- 2.The Circle Deputy Registrar of Co-operative Societies,
Office of the Circle Deputy Registrar of Co-operative Societies,
Krishnarayar Theppakulam Street,
Madurai 625 001.
- 3.The Joint Registrar of Co-operative Societies/
Managing Director,
Madurai District Central Co-operative Societies,
187, North Veli Street,
Madurai 625 001.



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4.The Branch Manager,
Madurai District Central Co-operative Bank,
Vilangudi Branch,
Vilangudi,
Madurai 625 018.

5.The Management,
A-2040, Samayanallur Primary Agricultural
Co-operative Credit Society Limited,
Vaigai Road,
Samayanallur,
Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to pass necessary order directing the 4th respondent to pay the cheque amount of Rs.12,39,804/- which is the gratuity and provident fund amount of the petitioner along with 12% interest from 31.05.2016 to till date within the time limit as stipulated by this Court.

For Petitioner : Mr.G.Murugan

For R1, R2 and R5: Mr.K.S.Selvaganesan

Additional Government Pleader

For R3 and R4 : Mr.D.Shanmugaraja Sethupathi

For R5 : No appearance



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ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to pass necessary order directing the 4th respondent to pay the cheque amount of Rs.12,39,804/-, which is the gratuity and provident fund amount of the petitioner along with 12% interest from 31.05.2016 to till date.

2. The learned counsel appearing for the petitioner would submit that the petitioner was worked as Senior Clerk in the fifth respondent Society and retired from service on 31.05.2016. After retirement, for the retirement benefits, the fifth respondent Society issued two different cheques of Madurai District Central Co-operative Bank, Vilangudi Branch, Vilangudi and the said cheques were presented before the fourth respondent, who is the banker of the fifth respondent Society. However, the fourth respondent has not passed any orders on the cheques presented by the petitioner. Hence, the petitioner has filed the present writ petition.



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3. The learned counsel appearing for the fourth respondent would submit that already the fourth respondent Bank has returned the cheques by return memo. But the same was refused to receive by the petitioner. Hence, the prayer sought for by the petitioner cannot be granted. However, the return memo will be furnished to the petitioner to enable him to work out the remedy, in the manner known to law.

4. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents 1 to 4.

5. In view of the submissions made by the learned counsel appearing for the fourth respondent, this Court, without going into the merits of the matter, directs the fourth respondent Bank to furnish the return memo to the petitioner to enable him to work the remedy, in the manner known to law.



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

21.02.2023

akv

To

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5/7



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Vilangudi,
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5.The Management,
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