



W.P.(MD).No.20402 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.20402 of 2023

Asokan

... Petitioner

Vs.

1. The Joint Registrar,
The Joint Registrar of Co-operative Societies,
Dindigul Region,
Collector Office,
Dindigul District.

2. The President/Executive Officer,
Kuttathu Aavarampatti PACCS,
Kuttathupatti,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to provide the retirement benefits including Gratuity amount, provident Fund, Encashment of Leaves and subsistence allowance along with interest to the petitioner within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Karunanidhi

For Respondents : Mr.S.Shaji Bino
Special Government Pleader



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ORDER

The present writ petition has been filed by the Secretary of Co-operative Society seeking a mandamus for disbursal of his terminal benefits.

2. According to the learned counsel appearing for the petitioner, the petitioner was issued with a charge Memo on 07.09.2020, for which, he has submitted an explanation on 22.10.2020. The petitioner was placed under suspension on 29.06.2022. Even though he had reached superannuation on 30.06.2022, he was not permitted to retire and he was retained in service.

3. According to the learned counsel appearing for the petitioner, the enquiry has been completed and the enquiry report has been submitted by the Enquiry Officer to the first respondent on 06.08.2021. However, the first respondent is yet to pass orders.

4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.



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5. Considering the above said facts, the first respondent is directed to pass orders on the enquiry report after giving due opportunity to the writ petitioner within a period of twelve weeks from the date of receipt of a copy of this order. Based upon the said adjudication, the question of disbursement of the terminal benefits may be considered by the respondents.

6. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs.

20.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

To

1. The Joint Registrar,
The Joint Registrar of Co-operative Societies,
Dindigul Region,
Collector Office,
Dindigul District.

2. The President/Executive Officer,
Kuttathu Aavarampatti PACCS,
Kuttathupatti,
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