



WEB COPY



W.P.No.2163 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.2163 of 2024

K.Manoharan

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Petitioner

Vs

1. The Registrar of Co-operative Societies,
Kilpauk,
Chennai – 600 010.

2. The Deputy Registrar of Co-operative Societies,
Dheena Plaza Complex,
Mayiladuthurai,
Nagapattinam District.

3. Sirkazhi Teachers Co-operative Thrift
and Credit Society Ltd.,
Represented by its Secretary,
No.24, North Car Street,
Sirkazhi – 609 110.

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Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to disburse the retirement benefits of the petitioner to the tune of Rs.23,08,218/- along with 18% interest from 31.05.2017 based on the representation of the petitioner dated 01.11.2023.



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For Petitioner : Mr.R.Sivakumar
for M/s.K.M.Vijayan Associates

For R1 & R2 : Mr.A.M.Ayyadurai
Government Advocate

For R3 : Mrs.P.Vijaya Devi
Government Advocate

ORDER

This Writ Petition has been filed for direction directing the respondents to disburse the retirement benefits of the petitioner to the tune of Rs.23,08,218/- along with 18% interest from 31.05.2017.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner was appointed as Clerk in the third respondent Society on 01.06.1992. Thereafter, he was promoted to the post of Secretary. After attaining the age of superannuation, he was relieved from the post of Secretary on 31.05.2017 by a Board Resolution dated 31.05.2017. However, the petitioner was not disbursed with any retirement benefits.



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4. The learned counsel appearing for the respondent submitted that with regard to the irregularities committed by the petitioner for misappropriation of the society's fund, already an enquiry was conducted under Section 81 of the Tamil Nadu Co-operative Societies Act and the same is pending.

5. Therefore, the request made by the petitioner cannot be considered before completion of the enquiry initiated under Section 81 of the Tamil Nadu Co-operative Societies Act. However, the second respondent is directed to complete the enquiry proceedings in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

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

02.02.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Lpp



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G.K.ILANTHIRAIYAN. J,

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To

1. The Registrar of Co-operative Societies,
Kilpauk,
Chennai – 600 010.

2. The Deputy Registrar of Co-operative Societies,
Dheena Plaza Complex,
Mayiladuthurai,
Nagapattinam District.

3. The Secretary,
Sirkazhi Teachers Co-operative Thrift
and Credit Society Ltd.,
No.24, North Car Street,
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