



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2024

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.2781 of 2022

The President
C.E.17 Dharapuram Public Servants,
Co-operative Thrift and Credit Society Ltd.,
7/21 – 1, C.S.I Nagar, Dharapuram,
Tiruppur District – 638 656.

.. Petitioner

Vs.

1.The Commissioner,
Dharapuram Municipality,
Dharapuram,
Tiruppur District.

2.Regional Director,
Municipal Administration,
5. J.G.Nagar, First Street,
Kumarananthapuram,
Thiruppur – 641 602.

3.Commissioner of Municipal Administration,
Town Administrative Office,
M.R.C. Nagar, Chennai - 600 028.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to recover Rs.44,04,557/- as on 31.12.2021 as per the demand dated 23.12.2021 from



the salary and other service benefits payable to the 38 workers as arrayed in the demand, if already recovered, remit the same to the petitioner society with interest at 12% per annum from the date of due until remittance, the penal interest already incurred by the petitioner Rs.55,957/- remit the forthcoming monthly demand within 10 days of every pay; the cost for this action.

For Petitioner .. Mr.K.V.Shanmuganathan

For R1 to R3 .. Mr.S.Rajesh,
Government Advocate

ORDER

This Writ Petition has been filed in the nature of a Mandamus, directing the 3rd respondent, the Commissioner of Municipal Administration, Chennai, to recover a sum of Rs.44,04,557/- as on 31.12.2021 in accordance with the demand dated 23.12.2021 from the salary and other benefits of 38 workers and remit the same to the petitioner society.

2.It is stated that by the learned counsel for the petitioner that out of the 38 workers amounts had been recovered from 35 workers, but it is also stated that recovery from the other three workers are in process.

3.A counter affidavit has also been filed by the 1st respondent wherein,



it had been stated that at the time of granting credit facility, the petitioner society had entered into an agreement with the 1st respondent in pursuance of Section 48 of the Tamil Nadu Cooperative Societies Act, 1983. The 1st respondent had deducted the monthly principle due together with monthly interest and other charges from the salary / wages of the respective employees / workers and remitted the same to the petitioner.

4.The learned counsel for the petitioner stated that there has been substantial compliance of the grievance of the petitioner by the respondents.

5.Recording the statement made by the learned counsel for the petitioner, this Writ Petition stands closed. No costs.

18.12.2024

Index:Yes/No
Internet:Yes/No
smv

C.V.KARTHIKEYAN,J.

smv

To



- 1.The Commissioner,
Dharapuram Municipality,
Dharapuram,
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