



W.P.No.3655 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2024

CORAM:

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

W.P.No.3655 of 2024

K.Rajadurai

... Petitioner

Vs.

- 1.The Registrar,
Tamilnadu Cooperative Societies Office,
N.V.Natarajan Maligai,
No.170 Periyar, EVR Road,
Kilpauk, Chennai
- 2.The Joint Registrar,
Cooperative Banks,
Tiruchirappalli Range,
Tiruchirappalli District
- 3.The Managing Director,
Central Cooperative Bank Tiruchirappalli,
Tiruchirappalli District
- 4.The Deputy Registrar of Cooperative Bank,
Tiruchirappalli Range,
Tiruchirappalli District
- 5.The General Manager,
Central Cooperative Bank,
Tiruchirappalli District 620 001
- 6.The Deputy Registrar,
Ariyalur,
Ariyalur District

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of



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India praying to issue a writ of mandamus directing the third respondent to release the petitioner's retirement benefits sum of Rs.4,07,583/- along with interest, based on the petitioner's representation dated 08.06.2023 within the time framed by this Court.

For Petitioner : Mr.K.Gandhi Kumar

For Respondents : Mrs.R.L.Karthika,
Government Advocate

ORDER

This writ petition has been filed for direction to the third respondents to disburse the retirement benefits to the tune of Rs.4,07,583/- with interest to the petitioner.

2. The petitioner had joined in the service of Central Cooperative Bank as Junior Assistant. Subsequently, he was promoted to the post of Manager. He was working as Manager in Aandimadam Branch from 22.06.2015 to 16.12.2016 and thereafter, he was transferred on 01.11.2017 from Andimadam to Jayamkondam Branch. Thereafter, he got retired on 31.03.2020. While he was in service, he disbursed loan to the tune of Rs.5,00,000/- as a fund to Kamarajar Aangal Suya Udhavi Kuzhu by fixing the repayment scheduled as 36 months. After his retirement, the third respondent by its proceedings stated that there is



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failure of loan repayment to the tune of Rs.4,07,583/-. Aggrieved by the same, the petitioner preferred revision before the second respondent and the same was dismissed and directed to file a suit. Hence, the petitioner filed a case against the fifth respondent before the fourth respondent in suit No.18 of 2020-21. It was disposed of by an order dated 13.05.2021 with direction to take legal action for recovery of loan due and to extend the petitioner's full support for taking legal action and also directed the fifth respondent to pay his retirement benefits once the debt amount has been recovered. Subsequently, by the communication dated 18.11.2021 on the file of the third respondent stated that the loan amount is being recovered and the petitioner's retirement benefits would be paid to him. Accordingly, the fifth respondent has taken legal action for recovery of the said amount in case Nos.14 & 16 of 2020-21 by the decree dated 04.05.2023 thereby directed the borrowers to pay the said amount along with interest at the rate of 10%. Therefore, the petitioner submitted representation to disburse the withheld amount to the tune of Rs.4,07,583/-. However, there is no record to show that the said amount was recovered from the borrowers.



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3. Considering the above, it is made clear that after recovering the said amount from the borrowers, the request made by the petitioner for disbursal of the amount to the tune of Rs.4,07,583/- can be considered and disbursed the said amount to the petitioner.

4. With the above observation, this writ petition is disposed of.
There shall be no order as to costs.

16.02.2024

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
lok



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To

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