



W.P.No.2721 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.2721 of 2024

K.Dhanalakshmi

...Petitioner

-Vs-

1.The Deputy Registrar of Co-operative Societies,
Salem Circle, Salem District.

2. The Administrator,
S.S.119, Salem Community - Nutraition,
and Anganwadi Workers and Anganwadi Assistant
Women Co-operative Thrift and Credit Society Ltd.,
Alagapuram, Salem-16.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the claim of the petitioner with regard to disbursement of pending salary from April 2023 to continuously to be calculated in properly and pass orders within a limited time framed in the light of his representation dated 28.11.2023.



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For petitioner : Mr.G.Punniakodi
For respondents : Mrs.R.L.Karthika,
Government Advocate

ORDER

This writ petition has been filed for direction directing the respondents to consider the representation submitted by the petitioner seeking disbursement of pending salary.

2. The petitioner was appointed on 18.02.2002 as Clerk in the 2nd respondent's society under consolidated pay. Thereafter, she was regularized and promoted to the post of Secretary in the 2nd respondent's society and then salary was fixed to the petitioner according to the proceedings dated 07.12.2010. The settlement between the management and the employee was entered under section 13(3) of the I.D.Act, 1947 dated 31.05.2013. The said settlement was implemented up to 31.03.2023 and not implemented in the month of April 2023 for the petitioner. Therefore, the petitioner submitted representation seeking disbursement of pending salary from the month of April 2023 as per the settlement. However, it was not considered



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and as such the petitioner was constrained to approach this court in W.P.No.29754 of 2023. While pending the said writ petition, the 3rd respondent herein handed over the cheque towards arrears of salary to the petitioner from the month of April 2023. Recording the said submission, the said writ petition was closed.

3. Further, the petitioner submitted representation with regards to the pending salary from the month of April 2023 up to October 2023.

4. On instruction, the learned counsel for the respondents submitted that the petitioner had misappropriated the society funds and as such enquiry conducted under section 82 of Co-operative Societies Act. Accordingly, the petitioner along with other misappropriated more than Rs.80lakhs and the recovery proceedings is also in progress.



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5. Therefore, the representation submitted by the petitioner cannot be considered and the writ petition is devoid of merits and liable to be dismissed. Accordingly, this writ petition is dismissed. No costs.

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Index : Yes/No
Internet: Yes/No
gvn

To

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G.K.ILANTHIRAIYAN,J.
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