



W.P.No.3550 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2024

CORAM

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

W.P.No. 3550 of 2023
and
W.M.P.No.3610 of 2023

R.Ashokan

.... Petitioner

Vs

1. The Registrar of Co-operative
Societies (Housing),
No.48, Ritherdon Salai,
Vepery, Chennai.

2. The Managing Director Tamil Nadu
Co-operative Housing Federation,
No.48, Ritherdon Salai,
Vepery, Chennai.

3. The Deputy Registrar of Co-operative
Societies (Housing),
Cuddalore Region,
Cuddalore District.

4. E-2148, Chidambaram Co-operative
Housing Society Ltd.,
Rep. by its President,
Vageesa Nagar, Chidambaram,
Cuddalore District,
Vridhachalam – 606 001.

.... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for



W.P.No.3550 of 2023

the issuance of Writ of Certiorarified Mandamus, calling for the records of the letter in Na.Ka.243/2018 na.ve.va dated 07.01.2021 on the file of the third respondent quash the same and direct the respondents to pay the petitioner's retirement benefits i.e., Provident Fund of Rs.3,08,113/-, Gratuity Rs.1,73,446/- arrears of salary of Rs.2,57,618/- and withheld the loan amount of Rs.2,08,781/-, totally Rs.10,14,958/- with statutory interest @ 10% p.a.

For Petitioner : Mr.M.S. Palaniswamy
For Respondents : Mr.M.S.Arasa Kumar
Government Advocate

ORDER

This Writ Petition has been filed challenging the order passed by the third respondent dated 07.01.2021, thereby passed order on the representation submitted by the petitioner seeking retirement benefits with interest.

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

3. The petitioner was originally appointed as Office Assistant in the fourth respondent Society. After regularization, he was promoted to the post of Junior Assistant. He became a Secretary in-charge from 24.07.2014 and attained the age of superannuation on 28.02.2018. He was allowed to retire from service. However, he was paid only part of the retirement benefits and the balance benefits has not



W.P.No.3550 of 2023

been paid so far. Therefore, the petitioner submitted a representation.

Though it was not rejected, due to financial crisis, the petitioner was not settled and also the petitioner availed loan to the tune of Rs.2,80,781/-.

4. The fourth respondent filed a clarification memo. Accordingly, the petitioner is entitled to receive a sum of Rs.7,34,161/- after deducting the loan amount which is payable by the petitioner.

5. Therefore, the fourth respondent is directed to disburse a sum of Rs.7,34,161/- with applicable interest till the settlement within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

No costs.

29.07.2024

Internet : Yes

Index : Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No

Lpp



WEB COPY

To



W.P.No.3550 of 2023

G.K.ILANTHIRAIYAN, J.

Lpp

1. The Registrar of Co-operative
Societies (Housing),
No.48, Ritherdon Salai,
Vepery, Chennai.
2. The Managing Director Tamil Nadu
Co-operative Housing Federation,
No.48, Ritherdon Salai,
Vepery, Chennai.
3. The Deputy Registrar of Co-operative
Societies (Housing),
Cuddalore Region,
Cuddalore District.
4. The President,
E-2148, Chidambaram Co-operative
Housing Society Ltd.,
Vageesa Nagar, Chidambaram,
Cuddalore District,
Vridhachalam – 606 001.

W.P.No.3550 of 2023

29.07.2024