



WEB COPY



W.P.No.8761 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.8761 of 2021

M.Arumugam

... Petitioner

Vs.

1.The Registrar,
Cooperative Societies, Puducherry,
Cooperative Department (Planning Section)
V.V.P.Nagar, Thattanchavady Post,
Puducherry 605 009.

2.The President,
The Rajaji Weaver's Cooperative Society Ltd., No.P2,
No.256, Vazhudavur Road, Kathirkamam,
Puducherry 605 009.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to disburse the retirement benefits of the petitioner including the provident fund for a sum of Rs.7,68,757/-, arrears of salary for a sum of Rs.8,36,026/- and encashment of earned leave for a sum of Rs.1,69,724/-.

For Petitioner : Mr.M.Sathish Kumar for
Ms.S.Harinyi

For Respondents :Mr.R.Sreedhar, AGP for R1
Mr.V.Chandrakanthan for R2

ORDER



W.P.No.8761 of 2021

This Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents to disburse the retirement benefits of the petitioner including the provident fund for a sum of Rs.7,68,757/-, arrears of salary for a sum of Rs.8,36,026/- and encashment of earned leave for a sum of Rs.1,69,724/-.

2. Heard Mr.M.Sathish Kumar, learned counsel for the petitioner, Mr.R.Sreedhar, learned Additional Government Pleader for R1 and Mr.V.Chandrakanthan, learned counsel for R2.

3. The petitioner was working as a Senior Clerk in the second respondent Society and retired on 31.07.2019 on attaining the age of superannuation. The petitioner was allowed to retire on 31.07.2019. However, his retirement benefits have not been settled so far. When the representation has been sent by the petitioner in this regard, the respondents have stated that they would settle such claims only depending upon the financial position of the Society.

4. Since the petitioner has retired four years ago and his retirement



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benefits have not been settled, that will cause huge hardship to the petitioner. Just because the respondents' financial position is not good, it is unfair on the part of the respondents to make the retired employees to wait for years to get the retirement benefits.

5. In view of the above stated reasons, this Writ Petition is disposed and the respondents are directed to consider the representation of the petitioner and pass appropriate orders as to the entitlement of the petitioner for disbursing the monetary benefits attached to the retirement of the petitioner within a period of six weeks from the date of receipt of a copy of this order. No costs.

14.03.2024

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk



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R.N.MANJULA, J.

gsk

To

1. The Registrar,
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Puducherry,
Cooperative Department (Planning Section)
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