



W.P.No.11725 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM

**THE HONOURABLE Mr.JUSTICE D.BHARATHA
CHAKRAVARTHY**

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1. S.Gayathri Sri
2. S.Karan

...

Petitioners

/vs/

1. The Administrator,
The Chitandripet Co-operative Credit Society Limited,
(No.XC.267)
99, Swami Naicken Street,
Chintadripet,
Chennai – 600 002.

2. The Secretary,
Co-operative Department,
Government of Tamilnadu,
Fort St. George,
Chennai – 600 009.

3. S.Vasanthi

... Respondents



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Writ Petition is filed under Article 226 of the Constitution of India

to issue a writ of mandamus to direct the respondents 1 and 2 to settle the terminal benefits to the legal heirs of Late V.Subramani within the time bound.

For Petitioner ... Ms.M.D.Leelavathi

For Respondents ... Mr.S.Ravikumar
Special Govt. Pleader for R1 and R2

ORDER

This writ petition has been filed to direct the respondents 1 and 2 to settle the terminal benefits to the legal heirs of Late V.Subramani.

2. The grievance of the petitioners is that their father one V.Subramani was working in the first respondent Co-operative society as Jewel Appraiser and he died on 17.07.2017 while in service. Initially, in view of differences between two families, the terminal benefits and the other benefits on account of the death of the said employee was not paid. However, the matter went to the Civil Court in O.S.No.4506 of 2017 and



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the XVII Assistant City Civil Court, Chennai has granted decree in favour of the petitioners. In view thereof, the petitioners are claiming their share in the terminal benefits.

3. It can be seen that the claim is made against the first respondent Co-operative society which is not a local or other authority of the State under the meaning of Article 12 of the Constitution of India. The petitioners have an alternative remedy of approaching the Joint Registrar of Co-operative Societies, Chennai by way filing revision under Section 153 of the Tamil Nadu Cooperative Societies Act. Therefore, the said inaction on the part of the first respondent society can be treated as record of the society and a revision can be entertained by the appropriate Revisional Authority.

4. In view thereof, this Writ Petition is disposed of in the following terms:

- i) the petitioners shall prefer a revision within a period of two weeks from the date of receipt of a copy of this order before the



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jurisdictional Joint Registrar of Cooperative Societies;

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ii) on receipt thereof, the said authority shall deal with the same on merits and in accordance of law and pass orders, within a period of eight weeks from the date of filing of the revision. No costs.

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Index: Yes

Speaking order

Neutral Citation Case : No

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D.BHARATHA CHAKRAVARTHY ,J.

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