



WEB COPY

W.P.No.10997 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2024

CORAM

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

W.P.No.10997 of 2024

C. Nethaji

... Petitioner

-Vs-

1. The Joint Registrar of Co-operative Societies
Vellore 632 009.

2. The Deputy Registrar of Co-operative Societies
Vellore 632 001.

3. The Executive Officer/The Secretary,
C.2534, Perumalkuppam Primary Agricultural
Co-operative Credit Society Ltd.,
Perumalkuppam,
Gudiyatham Taluk,
Vellore District.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 3rd respondent to consider the petitioner's representation dated 28.11.2023 to pay the petitioner's subsistence allowance amount for the temporarily suspended period of 01.09.2017 to 27.11.2019 and gratuity amount with 6% interest for the delayed period.



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For Petitioner : Mr.R.Anbalagan

For Respondents : Mr.G.Krishna Raja
Addl. Government Pleader for R1 & R2
Mr.G.Ameedius for R3

ORDER

This Writ Petition is filed seeking for a Writ of Mandamus directing the 3rd respondent to consider the petitioner's representation dated 28.11.2023 to pay the petitioner's subsistence allowance amount for the temporarily suspended period of 01.09.2017 to 27.11.2019 and gratuity amount with 6% interest for the delayed period.

2. The petitioner has made a representation dated 28.11.2023 to the 3rd respondent to pay his Subsistence Allowance amount for the temporarily suspended period from 01.09.2017 to 27.11.2019. He has also made further representation to the 1st & 2nd respondents in this regard but they have not considered.

3. Mr.G.Krishna Raja, learned Additional Government Pleader appearing for the respondents 1 & 2 submitted that subsequently Disciplinary Proceeding has culminated into order of termination from service. As far as the



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claim in the writ petition is concerned, it is true that the petitioner was in suspension from 01.09.2017 to 27.11.2019. During the said period Subsistence Allowance was paid only for three months but due to some administrative exigencies the balance amount was not paid. He further submitted that after deducting the amount already paid the balance Subsistence Allowance will be calculated and would be paid within a period of twelve weeks from the date of receipt of a copy of this order.

4. Recording the above submission made by the learned Additional Government Pleader that the balance Subsistence Allowance will be calculated and would be paid to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order, this writ petition is disposed of. No costs.

23.04.2024

Index : Yes/No
Speaking order/Non-speaking order
dpq



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To

1. The Joint Registrar of Co-operative Societies
Vellore 632 009.
2. The Deputy Registrar of Co-operative Societies
Vellore 632 001.
3. The Executive Officer/The Secretary,
C.2534, Perumalkuppam Primary Agricultural
Co-operative Credit Society Ltd.,
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D. BHARATHA CHAKRAVARTHY, J.

dpq

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