



WEB COPY



W.P.No. 17684 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.17684 of 2024

S.Subramanian

....

Petitioner

Vs

GIC Employees Co-op Thrift and Credit Society Ltd.,
Represented by its Secretary,
“XC-120, Prince Centre”,
Door No.709/710, 2nd Floor,
Flat No.201, Pathari Road,
Office : Anna Salai, Chennai 600 002.

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Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent relating to the rejection of retirement grant issued in Letter dated 15.02.2024 of the respondent and to quash the same and consequently direct the respondent to sanction the retirement grant given to the members of the respondent society to all retired members.

For Petitioner : Mr.D.Daniel

For Respondents : Mr.R.P.Murugan Raja
Government Advocate



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ORDER

This Writ Petition has been filed challenging the order dated 15.02.2024 passed by the respondent, thereby rejected the request made by the petitioner for retirement grant of Rs.1,00,000/-.

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

3. The petitioner was working as Assistant in the National Insurance Company Limited. While being so, he was served with charges and after disciplinary proceedings, he was awarded compulsory with a punishment of retirement from service. The petitioner submitted a representation for sanction of the retirement grant of Rs.1,00,000/-. However, the said request was not considered and it was rejected on the ground that as per Bye-law No.15, members who are “Retired under Voluntary Retirement Scheme/Resigned from Company are eligible as a act of Welfare Measure”. However, the petitioner was imposed with a penalty of compulsory retirement service and as such, he is not entitled for retirement grant. When the Bye-Law terms the person who retired on account of compulsory retirement scheme/resigned from company are



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eligible to get grant, the petitioner was compulsorily retired and as such

he is eligible to get all benefits.

4. In view of the above, the order dated 15.02.2024 passed by the respondent cannot be sustained and it is liable to be quashed. Accordingly, the order dated 15.02.2024 is hereby quashed. The petitioner is eligible for retirement grant of Rs.1,00,000/- and the respondent is directed to disburse the same to the petitioner within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition stands allowed.

No costs.

05.07.2024

Internet : Yes/No

Index:Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No

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To

The Secretary,

GIC Employees Co-op Thrift and Credit Society Ltd.,

“XC-120, Prince Centre”,

Door No.709/710, 2nd Floor,

Flat No.201, Pathari Road,

Anna Salai, Chennai 600 002.



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G.K.ILANTHIRAIYAN, J.

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