



WEB COPY



W.P.No.16485 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

CORAM:

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

W.P.No.16485 of 2022

P.N.Natrajan

... Petitioner

-Vs-

1. The Registrar of Cooperative Societies,
NVN Maaligai,
Poonamalle High Road,
Kilpauk,
Chennai – 10.
(R1 deleted as per order
dated 15.03.2024 in
W.M.P.No.29106 of 2022
in W.P.No.16485 of 2022)
 2. The Joint Registrar of Co-operative Societies,
Coimbatore Region,
Coimbatore – 641 018.
 3. The Deputy Registrar of Co-operative Societies,
Coimbatore Region,
Coimbatore – 641 018.
 4. The President,
K-1906, The Sirumugaipudur Sriramalinga
Sowdambika Co-operative Stores,
Padaguthurai Street,
Sirumugai, Mettupalayam Taluk,
Coimbatore District -641 302.
- ... Respondents



W.P.No.16485 of 2022

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to settle the petitioner all terminal benefits Viz. Encashment of Earned Leave, Employee Provident Fund and Security deposit other within the stipulated time period as may be fixed by this Hon'ble Court.

For Petitioner : Mr.K.Vasanthanayagan

For R1 to R3 : Mr.P.Sathish
Additional Government Pleader

For R4 : Dr.T.Seenivasan
Special Government Pleader

ORDER

This writ petition has been filed for direction directing the respondents to settle the petitioner all terminal benefits Viz. Encashment of Earned Leave, Employee Provident Fund and Security deposit other within the stipulated time period as may be fixed by this Hon'ble Court.

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

3. The petitioner was working as Manager in the fourth respondent Co-operative Store. Thereafter, he had attained the age of



W.P.No.16485 of 2022

superannuation and retired from service on 31.01.2011. He was relieved from service and he was paid gratuity. However, he was not paid Earned Leave, Employee Provident Fund and Security deposit.

4. A perusal of the counter filed by the third respondent revealed the details of the terminal benefits due to the petitioner, disbursed and pending disbursement of terminal benefits which are as follows:-

<i>Description</i>		<i>Amount Rs.</i>
1. Gratuity		1,63,558
2. EPF		3,31,099
3. Encashment of Leave		38,187
4. Security Deposit		1,000
Total		5,33,844
5. So far terminal benefits disbursed		
Gratuity	Rs.1,63,558	
PF	Rs.1,56,940	
Total		3,20,498
6. Pending Disbursement of terminal benefits are		
PF	Rs.1,74,159	
Encashment of leave	Rs. 38,187	
Security Deposit	Rs. 1,000	
Total		2,13,346



W.P.No.16485 of 2022

WEB COPY

5. However, the fourth respondent Society is in a stringent financial crisis and sought further time to settle the said amount.

6. In view of the above, the fourth respondent is directed to disburse the terminal benefits Viz. Encashment of Earned Leave, Employee Provident Fund and Security deposit with applicable interest at the rate of 4% to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition is disposed of.
There shall be no order as to costs.

15.03.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
mn



WEB COPY



W.P.No.16485 of 2022

G.K.ILANTHIRAIYAN. J.

mn

To

1. The Joint Registrar of Co-operative Societies,
Coimbatore Region,
Coimbatore – 641 018.
2. The Deputy Registrar of Co-operative Societies,
Coimbatore Region,
Coimbatore – 641 018.
3. The President,
K-1906, The Sirumugaipudur Sriramalinga
Sowdambika Co-operative Stores,
Padaguthurai Street,
Sirumugai, Mettupalayam Taluk,
Coimbatore District -641 302.

W.P.No.16485 of 2022

15.03.2024