



W.P(MD)No.2254 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 05.02.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.2254 of 2024

S.Venkatajalapathi

... Petitioner

Vs.

1.The Registrar,
Co-operative Societies,
Chennai.

2.The Joint Registrar,
Co-operative Societies,
Trichy Region,
Kajamalai,
Trichy – 20.

3.The Deputy Registrar,
Co-operative Societies,
Trichy.

4.The President,
MM 360 Muthupudayanpatti Primary Agricultural
Co-operative Loan Society,
Muthupudayaanpatti,
Manapparai,
Trichy District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representations dated 23.09.2022 and disburse provident fund payments due to the petitioner.

For Petitioner : Mr.K.Prabhakar

For Respondents : Mr.C.Baskaran
Government Advocate

ORDER

The present writ petition has been filed seeking direction to the respondents to consider the petitioner's representations dated 23.09.2022 and disburse provident fund payments due to the petitioner.

2. Heard the learned counsel on either side.

3. The petitioner was working as Assistant Secretary in the fourth respondent Society. On attaining the age of superannuation, he retired on 03.05.2015. During his tenure, as per Tamil Nadu Labour Welfare Fund Act as per Section 18(1), salary of the petitioner was fixed by the Board



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which was disbursed by the administration. But the said salary fixation was rejected by the audit department and it was kept in abeyance. Later by the order of Civil Supplies and Consumer Protection Department vide G.O(Ms)No.131 dated 04.06.1999, the Department was ordered to disburse the salary which was rejected by the Audit Department. As per the said Government Order, the denied salary for the year 2009-2010 was disbursed by the Employees Provident Fund Audit officials and the rejected salary amount was accounted in the respective employees' provident fund account and audit was completed. Similarly in all the Co-operative Societies, the rejected salary amount was disbursed to the respective employees. In continuity to 2009 to 2010 for the period of 2011-2012, 2012-2013, 2013-2014, audit had been made and report was submitted by the Audit Officer, Pudukottai. After retirement, while the terminal benefits were disbursed to the petitioner, the petitioner found that some corrections had been made during audit by which the amount which was credited to the accounts of the employees had been deducted once again during audit without reference to G.O(Ms)No.131 dated 04.06.1999. As a result of the same, Rs.2,00,000/- (Rupees Two Lakhs only) has been withheld from his terminal benefits. Hence, the petitioner



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passed a representation dated 23.09.2022 for release of the said amount.

However, the same was not considered.

4. Considering the limited scope of the relief sought for by the petitioner, this Court hereby direct the respondents to consider the petitioner's representation dated 23.09.2022 and pass appropriate orders in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition is disposed of. There shall be no order as to costs.

05.02.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

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L.VICTORIA GOWRI, J.

MGA

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