



W.P.(MD).No.9999 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.9999 of 2023

S.Manoharan
Former Junior Clerk,
T 1682 Vettuvakkottai Primary
Agricultural Co-operative Credit Society,
Residing at Door No.4314,
E.V.R.Nagar,
Pudukkottai.

... Petitioner

Vs.

1. The Regional Joint Registrar of
Cooperative Societies,
Thanjavur.
2. The Deputy Registrar of
Co-operative Societies,
Pattukkottai,
Thanjavur.
3. The President,
T 1682 Vettuvakkottai Primary
Agricultural Co-operative Credit Society,
Ooranipuram, Orthanad Taluk,
Thanjavur 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 herein to disburse 38 months of salary payable from June 2004 to April 2007, Provident Fund, Gratuity and all other monetary benefits accrued to the service of petitioner for having served from 1990 to 2007, as agreed by the second respondent in his proceedings in Na.Ka.No.45/2021, PuMa, dated 17.02.2021, together with interest from 18% p.a., thereon.

For Petitioner : Mr.C.Padmaraj

For R1 and R2 : Mr.A.Baskaran
Additional Government Pleader

ORDER

The present Writ Petition has been filed by a Former Junior Clerk seeking a Mandamus to direct the respondents to disburse 38 months of salary for the period between June 2004 and April 2007 and provide him the terminal benefits for the services of the petitioner between 1990 to 2007, while he was in service of the third respondent Co-operative Society.



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2. As could be seen from the records, the petitioner was in the service of the third respondent Co-operative Society from May 1990 to April 2007. Thereafter, the petitioner had resigned the said job and joined in the Judicial Department as a Junior Assistant. The petitioner has also attained superannuation in the judicial Department. Thereafter, the petitioner had approached the second respondent herein seeking disbursement of his salary for the period between June 2004 and April 2007 and other monetary benefits arising out of his service between 1990 and 2007. Since the same was rejected, the petitioner has approached the second respondent by filing a revision petition. By way of proceedings dated 08.04.2019, the revision petition filed by the petitioner has been returned.

3. Thereafter, the petitioner has filed a revision petition before the Secretary to Government on 23.05.2019. The said representation was considered by the Secretary to Government and adverse orders were passed on 30.06.2023. However, without challenging the said order, the present writ petition has been filed seeking a Mandamus as against the respondents.



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4. In view of the above said facts, the present Writ Petition is not maintainable and the same is dismissed with liberty to the petitioner to challenge the order passed by the Government on 30.06.2023, if he is so advised. There shall be no order as to costs.

06.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

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2. The Deputy Registrar of
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Thanjavur.
3. The President,
T 1682 Vettuvakkottai Primary
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R.VIJAYAKUMAR,J.

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