



W.P.(MD).No.15167 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.15167 of 2024

A.Ranytha Peeris

...Petitioner

Vs

1.The Joint Registrar of Co-operative Societies,
Thoothukudi District.

2.The Deputy Registrar of Co-operative Societies,
Thoothukudi.

3.The Administrator,
O.437, Vellalanvilai Primary
Agricultural Co-operative Credit Society,
3/6 Bishop Achariya Street,
Vellalanvilai,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the first and second respondents to pass necessary orders enabling the third respondent society to settle all the petitioner's retirement benefits such as Provident Fund, Gratuity, Earned Leave Salary amounts to the tune of Rs.12,89,872/- with interest at the rate of 12% from 31.12.2022 till the petitioner's retirement benefits are settled.



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For Petitioner : Mr.R.Saravanan

For R-1 and R-2 : Mr.S.Kameswaran
Government Advocate

ORDER

Heard Mr.R.Saravanan, learned counsel for the petitioner and Mr.S.Kameswaran, learned Government Advocate for the respondents 1 and 2.

2. This Writ Petition has been filed for issuance of Writ of Mandamus, seeking direction against the first and second respondents to pass necessary orders enabling the third respondent society to settle all the petitioner's retirement benefits such as Provident Fund, Gratuity, Earned Leave Salary amounts to the tune of Rs.12,89,872/- with interest at the rate of 12% from 31.12.2022 till the petitioner's retirement benefits are settled.

3. The grievance of the petitioner is that he was working as the Secretary of the third respondent Cooperative Society and superannuated from service on 31.12.2022. However, after her retirement, her retiral



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benefits, such as Provident Fund, Gratuity, Earned Leave Salary amounts to the tune of Rs.12,89,872/- have not been paid to her inspite of repeated representations made in this regard. Based on the petitioner's representation, the third respondent had sent a reply on 12.04.2024 by making false allegation against the petitioner, even though she was permitted to retire and also by assigning irrelevant reason that the Society was under financial crisis.

4. Considering the facts and circumstances of the case and without going into the merits of the claim made by the petitioner, this Court directs the first and second respondents to consider the petitioner's claim with regard to disbursing the retirement benefits payable to the petitioner including Provident Fund, Gratuity, Earned Leave Salary along with eligible interest and pass orders, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

09.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

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R.N.MANJULA, J.

Nsr

To:

- 1.The Joint Registrar of Co-operative Societies,
Thoothukudi District.
- 2.The Deputy Registrar of Co-operative Societies,
Thoothukudi.

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