



W.P.(MD)No.15955 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.15955 of 2024

Panneer Selvam

... Petitioner

Vs.

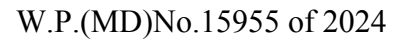
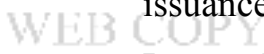
1.The Regional Joint Registrar,
Thanjavur Region,
Thanjavur,
Thanjavur District.

2.The Deputy Registrar of Co-oPerative Societies,
Thanjavur Circle,
Thanjavur District.

3.The Administrator,
Vannarapettai Primary Agriculture,
Cooperative Credit Society Ltd.,
Vannarapettai,
Thanjavur District.

4.The Secretary,
Vannarapettai Primary Agriculture,
Cooperative Credit Society Ltd.,
Vannarapettai,
Thanjavur District.

... Respondents



For Petitioner : Mr.R.Velmurugan

ORDER

2. Heard Mr.R.Velmurugan, learned counsel appearing for the petitioner, and Mr.M.Senthil Ayyanar, learned Government Advocate appearing for the respondent Nos.1 to 4.

3. This Writ Petition has been filed seeking a direction to the third respondent to pay the Earned Leave Encashment amount of a sum of Rs.4,20,968/- (Rupees Four Lakhs Twenty Thousand Nine Hundred and Sixty Eight only) by considering the petitioner's representation dated 27.04.2024 on merits and in accordance with law within a time stipulated by this Court.



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4. The petitioner, who was working as a Secretary in the third respondent / Vannarettai Primary Agriculture Co-operative Society Limited, has retired due to superannuation on 30.06.2022.

5. Mr.R.Velmurugan, learned counsel appearing for the petitioner submitted that so far his Leave Encashment benefits have not been paid.

6. Mr.M.Senthil Ayyanar, learned Standing Counsel appearing for the respondents submitted that the petitioner himself at the verge of his retirement, had deposited a sum of Rs.5,40,968/- in the Savings Bank Account with the Vannarpettai Primary Agriculture Co-operative Credit Society Limited, stating that towards his leave encashment purpose. In fact, he had taken a portion of the amount to the tune of Rs.1,20,000/- from the same. He further submitted that an enquiry is pending in this regard. However, his representation dated 27.04.2024 would be considered by the respondents.

7. The petitioner, who was working as a Secretary without waiting for the sanction of the Leave Encashment, utilised his power and allocated the money of the Society and made it credited in his personal account. It appears that the



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petitioner did not have any intention to misappropriate the funds of the Society,

but, to reserve certain amount for payment of his Leave Encashment.

8. In view of the above, the Writ Petition is **disposed of** with a direction to the respondents to complete the enquiry as expeditiously as possible and pass appropriate orders for disbursing the eligible Encashment Leave benefits to the petitioner within a period of eight weeks from the date of receipt of a copy of this order. No costs.

18.07.2024

NCC:yes/no

Index:yes/no

Internet:yes/no

TSG

To

1.The Regional Joint Registrar,
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2.The Deputy Registrar of Co-oPerative Societies,
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3.The Administrator,
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4.The Secretary,
Vannarapettai Primary Agriculture,
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R.N.MANJULA, J.

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