



WP(MD). No.15920 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 16/07/2024

CORAM

The Hon`ble Ms.Justice R.N.MANJULA

WP(MD). No.15920 of 2024

Muralitharan S

... Petitioner

Vs

1. The Joint Registrar of Cooperative Societies,
Madurai Region,
Madurai.

2. The Deputy Registrar of Cooperative Societies,
Madurai Circle,
Madurai.

3. The Administrator,
A2941, Manthikulam Primary Agricultural
Cooperative Credit Society,
Karuvanur Post,
Madurai-625 014.

4. The Secretary,
A2941, Manthikulam Primary Agricultural
Cooperative Credit Society,
Karuvanur Post,
Madurai-625 014.

... 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 settle the petitioner's terminal benefits namely Gratuity, Earned Leave Salary, Provident Fund and Staff Society Loan Amount paid which amounts to Rs. 10,81,098 /- payable to the petitioner along with interest at the rate of 18 percentage from the date of superannuation i.e 30.06.2022 within a time frame that may be stipulated by this Court on the basis of the representation submitted by the petitioner dated 12.06.2024.

For Petitioner : Mr.R.R.Kannan,

ORDER

The writ petition has been filed for a mandamus to direct the respondents to settle the petitioners terminal benefits namely Gratuity, Earned Leave Salary, Provident Fund and Staff Society Loan Amount paid which amounts to Rs. 10,81,098 /- payable to the petitioner along with interest at the rate of 18 percentage from the date of superannuation i.e 30.06.2022 within a time frame that may be stipulated by this Court on the basis of the representation submitted by the petitioner dated 12.06.2024.



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2. Heard the learned counsel for the petitioner.

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3. The petitioner, who was working as a Secretary, retired on 30.06.2022. After retirement, since the retirement benefits were not settled to him, he sent a representation to the respondents. Since the said representation was not considered, the petitioner is before this Court with this writ petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the representation of the petitioner within a specified time frame.



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5. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 12.06.2024 on its own merits and pass appropriate orders in accordance with law, after making due enquiry, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the case or the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

6. With the above direction, this writ petition is **disposed of**. No costs.

16.07.2024

RR

TO

1. The Joint Registrar of Cooperative Societies,
Madurai Region,
Madurai.

2. The Deputy Registrar of Cooperative Societies,
Madurai Circle,
Madurai.

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R.N.MANJULA,J

RR

**ORDER
IN
WP(MD) No.15920 of 2024**

Date : 16/07/2024