



WA(MD). No.67 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 27/02/2024

CORAM

**THE HON'BLE MR.SANJAY V.GANGAPURWALA,
CHIEF JUSTICE**

and

THE HON'BLE MR.JUSTICE G.ILANGO VAN

**WA(MD). No.67 of 2024
and CMP(MD) No.678 of 2024**

The President,
E.E.418 Arumuganeri Primary Agricultural
Cooperative Credit Society
Thoothukudi District.

... Appellant

Vs

1. R.Ushajothi Packia Celi

2. The Joint Registrar/president,
of Public, Personnel of Co Operative Societies (Paccs)
Thoothukudi District..

3. The Deputy Registrar Of Co Operative Societies,
Tiruchendur..

... Respondents

**PRAYER :-Writ Appeal filed under Clause 15 of Letters Patent, against
the order dated 03.02.2023 in W.P.(MD).No.2172 of 2023.**

For Petitioner : Mr.Jerin Mathew

**For Respondent : Mr.R.Saravanan for R1
Mr.T.Amjad Khan for R2&R3
Government Advocate**



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JUDGMENT

**[Judgment of the Court was delivered by
The Hon'ble The CHIEF JUSTICE]**

Heard the learned counsel for the appellant, the learned Advocate for the original writ petitioner and the learned Government Advocate for the respondents 2 and 3.

2.Paragraph No.6 of the impugned order reads thus:

“6. Considering the facts and circumstances of the case, admittedly, the respondents claimed that excess amount of Rs.4,11,144/- was paid to the petitioner, thereby withhold the entire terminal benefits of the petitioner, which is not sustainable one. Hence, this Court directs the first respondent to withhold a sum of Rs.4,11,144/- for a period of eight weeks, to enable the Society to number the writ appeal and get a restrained order and the balance amount should be disbursed to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. If the Society not obtained any restrained order as against the petitioner, in the said writ appeal, the respondent Society is directed to pay



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the withhold amount of Rs.4,11,144/- within a period of ten weeks from the date of receipt of a copy of this order with applicable interest.”

3.The learned counsel for the appellant submits that the appellant has already filed an appeal as referred to in Paragraph No.6 of the order. However, the same is still pending.

4.The learned Advocate for the original writ petitioner submits that the said appeal is pending at the SR stage. The same bears number WA(MD) SR No.33628/2021.

5.The amount of Rs.4,11,144/- has already been paid by the appellant to the original writ petitioner. The impugned order stands complied with. As such payment shall be subject to the decision that may be taken by this Court in writ appeal SR No.33628/2021 filed by the appellant.



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6. With this observation, the writ appeal stands disposed of.

However, there shall be no order as to costs. Consequently connected Miscellaneous Petition is closed.

[S.V.G., CJ.]

[G.I., J.]

27.02.2024

NCC : Yes/No
Index : Yes/No
RR

TO

1. The Joint Registrar/president of Public,
Personnel of Co Operative Societies (Paccs)
Thoothukudi District..
2. The Deputy Registrar Of Co Operative Societies,
Tiruchendur..



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THE HON'BLE THE CHIEF JUSTICE
and
G.ILANGOVAN, J.

RR

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