



W.P.No.27990 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2025

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CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.27990 of 2011

and

M.P.Nos.1 & 2 of 2011

1.N.Omezhilarasu (deceased)

2.Anandhammal

3.Thenarumbu

4.Sathish

5.Archana

... Petitioners

*P2 to P5 are substituted as LR's of deceased P1, as per order dated 12.03.2024 in W.M.P.No.7070 of 2024.

Vs.

1.Joint Registrar of Co-op. Societies,
Kancheepuram Region,
Kancheepuram.

2.The Special Officer,
G.C.2352, Kongarai Mampattu Primary Agricultural
Co-Operative Bank Credit Society,
Kongarai Mampattu Village,
Vadamanipakkam Post, Maduranthagam Taluk,
Kancheepuram District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India,



to issue a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned order passed by the 1st respondent in his proceedings Na.Ka.6569/2010/A3, dated 02.09.2011 whereby confirming the order passed by the 2nd respondent in his proceedings Na.Ka.1/09 Establishment, dated 22.06.2010 and quash the same and consequently direct the respondents to reinstate the petitioner into service with all backwages and monetary benefits.

For Petitioners : C.Prakasam

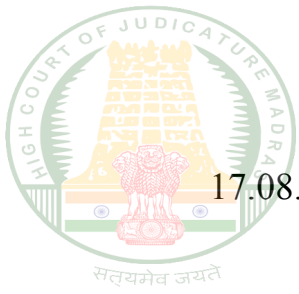
For R1 : Mr.S.Ravikumar
Special Government Pleader.

For R2 : Mr.L.P.Shanmugasundaram

ORDER

This writ petition has been filed aggrieved by the order of termination dated 22.06.2010 passed by the 2nd respondent, and the order passed by the 1st respondent confirming the termination order dated 22.06.2010 passed by the 2nd respondent, by passing an order under Section 153 of Tamil Nadu Co-operative Societies Act, 1983 vide order dated 02.09.2011.

2. When the matter is taken up for consideration, it is brought to the notice of this Court by learned Government Advocate by filing a status report stating that during the pendency of the present writ petition, the 1st petitioner was reinstated into service on 29.05.2017 and subsequently, on being convicted in the criminal case again his services were terminated on



17.08.2017 and subsequently, the petitioner died on 20.10.2023.

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3. From the above, it is evident that the termination order which is subject matter of the present writ petition does not survive any more, as the petitioner was already reinstated into service on 29.05.2017. Insofar as subsequent termination by resolution dated 17.08.2017 is concerned, the same is not under challenge before this Court and the same is not subject matter of the present writ petition.

4. As the 1st petitioner is no more and he passed away on 20.10.2023, the other petitioners, who are the legal representatives of the deceased 1st petitioner may be entitled for the terminal benefits of the deceased 1st petitioner. Further in the status report, the respondent would also stated that the legal heirs are entitled to receive the Employees Provident Fund (EPF) which stood at the credit of the petitioner as per provisions contained in the By-law of the Society and the Society has also taken steps to disburse EPF amount to the legal heirs of the deceased 1st petitioner. If that be the case, it is always open for the Society to disburse the same. Further, in case, if the petitioners are entitled to any other terminal benefits consequent upon the termination of the 1st petitioner on 17.08.2017, the petitioners are



granted liberty to submit a representation before the 2nd respondent for release of such amounts in addition to the EPF amounts and the 2nd respondent is directed to consider the said representation and release all the amounts for which the legal heirs of the deceased 1st petitioner are entitled to, as expeditiously as possible, at any rate, within a period of eight (8) weeks from the date of submission of a representation by the petitioners.

5. Accordingly, this writ petition is disposed of. No costs. Connected miscellaneous petitions, if any, shall stand closed.

17.06.2025

dpa

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To



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MUMMINENI SUDHEER KUMAR, J.

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