



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 07-08-2025

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THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

WP NO. 28706 of 2014

AND

MP Nos.1 & 2 of 2014

WMP Nos. 14046 & 26026 of 2017

M.J.L.Ranganathan (Deceased),

2.R.Kumari

3.V.Vijayalakshmi

4.S.Vanitha

5.R.Ramani

6.R.Santhakumar

.... Petitioner(s)

(P2 to P6 substituted as Lrs of the deceased sole petitioner vide order dated 03.07.2025 made in WMP No.27174 of 2025 in WP No.28706 of 2014 by MSKJ)

Vs

1.The Joint Registrar,
Co-Operative Society, Villupuram,
Villupuram District.

2. The Deputy Registrar,
Co-Operative Societies,
Tindivanam Circle, Tindivanam, Villupuram District.

3. The Special Officer,
CL.SPL.146, Kandhadu Primary Agricultural Co-operative Bank Ltd,
Kandhadu and Post, Tindivanam Taluk, Villupuram District.



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4. The Registrar of Co-operative
Society, No.170, Periyar EVR High Road, Kilpauk, Chennai-10.

5. The State of Tamil Nadu,
Rep. by its Secretary to Government of Tamil Nadu,
Co-operative Food and Consumer Protection,
Chennai-9.

.....Respondent(s)

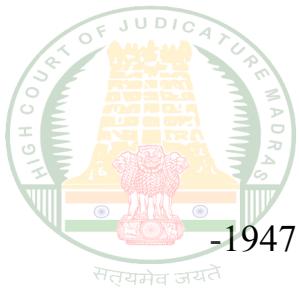
PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, call for the entire records in so far it relates to the impugned order passed by the 1st respondent in his proceedings No.Na.Ka.1124/2013/Sapa dated 27.06.2014 and quash the same and consequently direct the respondents to disburse the terminal benefits of the petitioner on the principle of last pay drawn basis and also as per concluded settlement arrived at under Section 18(1) Settlement of the Industrial Dispute Act -1947 between the petitioner and the management of the 2nd respondent bank.

For Petitioner : Mr.M.Arumugam

For Respondents : Dr.S.Surya, AGP

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus, call for the entire records in so far it relates to the impugned order passed by the 1st respondent in his proceedings No.Na.Ka.1124/2013/Sapa dated 27.06.2014 and quash the same and consequently direct the respondents to disburse the terminal benefits of the petitioner on the principle of last pay drawn basis and also as per concluded settlement arrived at under Section 18(1) of the Industrial Dispute Act



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-1947 between the petitioner and the management of the 2nd respondent bank.

2.The petitioner herein, who served as Secretary in the third respondent Bank resigned from the post on 12.11.2003 after having completed more than 30 years of service. Thereafter, the terminal benefits of the petitioner was settled in terms of G.O.Ms.131, Co-Operation, Food and Consumer Protection Department dated 04.06.1999. However, the petitioner is making a claim for payment of terminal benefits in terms of settlement entered into between the Union and the 4th Society under Sections 12(3) and 18(1) of the I.D.Act 1947. A Coordinate Bench of this Court in W.P.No.19927 of 2008 dated 23.03.2010 refused to entertain the Writ Petition for enforcement of settlement arrived at under the I.D.Act, 1947 and upheld the settlement of terminal benefits in terms of G.O.Ms.131, dated 04.06.1999.

3.This Court does not see any reason to deviate from the view already taken by this Court in the above said Writ Petition. However, this Court is of the considered view that in case if the petitioner is making a claim under



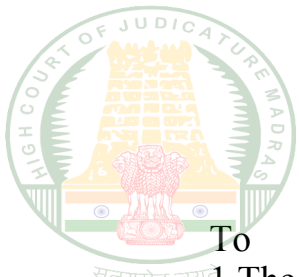
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the validly entered settlement under Sections 12(3) and 18(1) of the I.D. Act 1947, his rights cannot be curtailed merely because the petitioner approached this Court by seeking relief as noted above. In the said circumstances, this Court is not inclined to entertain this Writ Petition for enforcement of the settlement entered into under the I.D. Act, 1947.

4. Accordingly, this Writ Petition is dismissed. As the first petitioner/employee is no more and his legal heirs were brought on record being the petitioners 2 to 6, the petitioners 2 to 6 herein are granted liberty to pursue the claim for payment of terminal benefits under the settlement said to have been entered into under Sections 12(3) and 18(1) of the I.D. Act, 1947 by instituting appropriate proceedings before the concerned Labour Court. If any such proceedings are initiated, the Labour Court shall take up the same on priority basis and dispose of the same as expeditiously as possible. No costs. Consequently, connected miscellaneous petitions are closed.

07.08.2025

Index : Yes/No
Speaking order: Yes/No
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To

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Mr.MUMMINENI SUDHEER KUMAR, J

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