



W.A(MD) No.1297 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 14.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A(MD) No.1297 of 2025

S.Balasubramanian

... Appellant / Writ Petitioner

Vs.

**1.The Regional Deputy Registrar (Housing),
Samathu Palli Street,
Kajamalai Post,
Trichirappalli-20.**

**2.The President,
MM.124, Karur Co-operative Housing Society Limited,
No.6, Rajiv Gandhi Nagar,
Vengamedu Post,
Karur District.**

... Respondents / Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order made in W.P.(MD)No.22437 of 2019, dated 05.11.2024 by allowing the writ appeal.



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For Appellant : Mr.S.Kumar

For Respondents : Mr.N.Satheeshkumar
Additional Government Pleader
for R1

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The appellant was working as Head Clerk in the second respondent society. He reached the age of superannuation on 31.05.2016. His terminal benefits were not disbursed. He therefore submitted representation before the first respondent. The first respondent did not accept the request of the appellant on the ground that enquiry under Section 81 of the Tamil Nadu Co-operative Societies Act was pending against him. Aggrieved by the said stand of the first respondent, the appellant filed W.P.(MD)No.22437 of 2019.



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3. When the matter was taken up for final hearing, the learned counsel for the respondents submitted that the surcharge proceedings had been initiated against the appellant and that therefore they are still pending. In that view of the matter, the learned Judge disposed of the writ petition by directing the first respondent to conclude the surcharge proceedings initiated under Section 87 of the Act. Based on the outcome of the proceedings, the appellant was granted liberty to work out his remedy. Aggrieved by the said order dated 05.11.2024 passed by the learned single Judge, this writ appeal has been filed.

4. When the matter was taken up for hearing, the learned counsel for the appellant produced the copy of the proceedings dated 01.04.2025 issued by the Deputy Registrar (Housing), Tiruchirappalli Region. According to the appellant, as per the said order, the appellant had been exonerated in the surcharge proceedings. In that event, the appellant can very well work out his right as indicated by the learned single Judge in the impugned order. If the appellant had been exonerated, the respondents are obliged to settle the appellant's terminal benefits as expeditiously as possible, unless there is any other legal impediment.



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5. The Writ Appeal is disposed of accordingly. No costs.

(G.R.S., J.) (K.R.S., J.)
14.07.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
rmi

To

The Regional Deputy Registrar (Housing),
Samathu Palli Street,
Kajamalai Post,
Trichirappalli-20.



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