



W.P.(MD).No.5987 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.5987 of 2021

S.Ayyanar

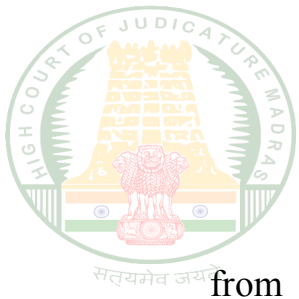
Vs.

... Petitioner

1. The Joint Registrar,
Office of the Joint Registrar of
Cooperative Societies,
Palanganatham, Madurai – 3.
2. The Deputy Registrar,
Office of the Deputy Registrar of
Cooperative Societies,
Jawahar Nagar,
Usilampatti at Thirumangalam Post,
Madurai District.
3. The President,
M.D.Spl.54 Santhaiyoor Primary Agricultural
Cooperative Credit Society Limited,
Santhaiyoor, Peraiyoor Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to sanction and settle the petitioner's personal benefits like encashment of earned leave salary PF amount and gratuity with interest at the rate of 10%



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from 30.04.2001 based on his representations dated 23.12.2019 and 31.10.2020 within the period that may be stipulated by this Court.

For Petitioner : Mr.R.Saravanan

For Respondents : M/s.D.Farjana Ghoushia
Special Government Pleader

ORDER

The present Writ Petition has been filed seeking a Mandamus as against the respondents 1 and 2 to sanction and settle the petitioner's personal benefits like encashment of earned leave salary, PF amount and gratuity with interest at the rate of 10% from 30.04.2001 based on his representations dated 23.12.2019 and 31.10.2020.

2. The petitioner herein, who was employed as a Salesman in the third respondent Society was terminated from service and he was not permitted to attend duty with effect from 01.05.2001. The petitioner has challenged the same before the Labour Court, Madurai, in I.D.No.64 of 2011. The learned Judge, Labour Court, Madurai has allowed the Industrial Disputes by way of order dated 19.06.2014 with a direction to pay the terminal benefits and other benefits, if any, to which the petitioner is legally entitled to, by treating that



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the petitioner had retired from service on 30.04.2001. So far, the Management has not chosen to challenge the award of the Labour Court.

3. The petitioner has approached the Controlling Authority under the Payment of Gratuity Act, Madurai in P.G.No.39 of 2018. The authority was pleased to allow the same and directed the Management to pay a sum of Rs.29,423/- along with interest at the rate of 10% per annum. This order has also not been challenged by the Management.

4. In the light of the above said facts, the present Writ Petition has been filed seeking a Mandamus as against the respondents to disburse the above said amount.

5. Considering the fact that the award of the Labour Court in I.D.No.64 of 2011 and the order of Controlling Authority under the Payment of Gratuity Act, Madurai in P.G.No.39 of 2018 have so far not been complied with, this Court is inclined to allow the Writ Petition with a direction to the respondents 1 and 2 to initiate appropriate action as against the third respondent Society for payment of the above said amount. The said exercise shall be completed



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within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above said observation, this Writ Petition stands allowed.

There shall be no order as to costs.

26.08.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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