



W.P.(MD) No.10112 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.04.2025

CORAM:

THE HONOURABLE Mr.JUSTICE BATTU DEVANAND

W.P.(MD)No.10112 of 2025

R.Valarmathi

... Petitioners

Vs

- 1.The Regional Joint Registrar of Co-operative Societies,
Office of the Regional Joint Registrar of Co-operative Societies,
Roundana, Pasumpon Nagar, TPK Road,
Palanganatham, Madurai - 625 003.
- 2.The Circle Deputy Registrar of Cooperative Societies,
Office of the Circle Deputy Registrar of Cooperative Societies,
Madurai Circle, Roundana, Pasumpon Nagar, TPK Road,
Palanganatham, Madurai - 625 003.
- 3.The Secretary / The Special Officer,
A.2964 Chinna Elanthaikulam Primary Agricultural
Cooperative Credit Society, Chinna Elanthaikulam,
Vadipatti Taluk, Madurai District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the respondents herein to disburse the retirement benefits payable to the petitioner with interest at 8 per cent per annum from the date of retirement ie., 30.06.2024 by considering the representation dated 10.07.2024.

For Petitioner : Mr.C.Gangai Amaran

For R1 to R3 : Mr. P.Subbaraj
Special Government Pleader

ORDER

Heard the learned Counsel for the petitioner and the learned Special Government Pleader for the respondents and perused the materials available on record.



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2.This writ petition is filed by a Clerk worked in the third respondent Society with effect from 11.01.1991, who retired on 28.06.2024. Thereafter, she is entitled to receive all the retirement benefits, the amount accounts into more than a sum of Rs.25 Lakhs. But the respondents have paid only a sum of Rs.2 Lakhs and failed to pay the balance amount on the guise of financial crisis of the Society.

3.The case of the petitioner is that the action of the respondents in not settling the retirement benefits to the petitioner is causing severe mental agony and financial hardship.

4.The learned Counsel for the petitioner submits that due to lack of money after retirement, the petitioner is suffering a lot to eke out his livelihood. Explaining the grievance of the petitioner, she submitted a representation on 10.07.2024 to the respondents requesting to disburse the retirement benefits with interest at the rate of 8% per annum from the date of her retirement. But the said representation was also not considered. Aggrieved by the inaction of the respondents, the present writ petition is filed.



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5. There is no dispute with regard to the admitted facts in this case.

The petitioner worked as a Clerk in the third respondent Society and retired from service on 28.06.2024. After retirement, the petitioner is entitled for all retirement benefits, if no disciplinary proceedings or surcharge proceedings are pending against her. If no charges are pending against the petitioner at the time of retirement of her service, withholding the retirement benefits by the respondents is impermissible under law. Every employee expects retirement benefits immediately after retirement, because it is the only source for his livelihood after retirement. By settling the said retirement benefits to a retired employee, the respondents are not doing any charity. It is the right of every retired employee to get the retirement benefits immediately after his retirement. The respondents can't withhold the settlement of the retirement benefits on the ground of financial crisis of the third respondent society. In view of the same, this Court is of the considered opinion that the petitioner is entitled for the relief sought for in this writ petition.



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6. Accordingly, this writ petition is disposed of with the following directions:

(1) The respondents are directed to disburse the retirement benefits payable to the petitioner for which he is legally entitled with interest at the rate of 6% interest from the date of retirement to till the date of actual payment.

(2) Retirement benefits shall be disbursed within a period of four weeks from the date of receipt of a copy of this order.

7. There shall be no order as to costs.

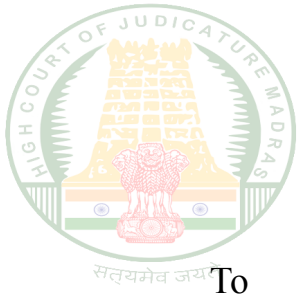
09.04.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes

LR



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BATTU DEVANAND, J.

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