



W.P.(MD) No.14462 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.(MD) No.14462 of 2019

P.Sankaran

...

Petitioner

Vs

1 The Chief Secretary,
Govt. of Tamil Nadu,
Fort St.George,
Chennai- 9.

2 The State of Tamil Nadu,
Rep.by its Commissioner Agriculture Production &
Secretary, Agriculture Department,
Fort St.George,
Chennai-9.

3 The Director of Agriculture/Registrar,
O/o.Agriculture Director,
Chepauk,
Chennai-5.

4 The Tuticorin District Agro Engineering Service
Co-Op. Society Ltd., No.AES.17,
Represented thru its Liquidator/Deputy Director,
(State Scheme), Tuticorin. ...

Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 3rd respondent in Na.Ka. 46007/2012/VePo-2(1), dated 29.05.2019, and the consequential impugned order of the 4th respondent in Letter.No.Ni.7/3254/2019, dated 31.05.2019, and quash the same and consequently direct the respondents to provide either alternative employment in any other registered society or disburse the salary due and other monitory benefits, considering petitioner's services rendered in the fourth respondent Society along with interest and compensation.

For Petitioner : Mr.H.Arumugam

For Respondents 1 to 3 : Mr.N.Sathish Kumar,
Addl. Govt. Pleader.

ORDER

This Writ Petition is filed by the petitioner, seeking the relief of either alternative employment or disbursement of salary due along with monetary benefits, considering his past services, rendered under respondents/society.



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2. According to the petitioner, he was appointed in the Tuticorin District Agricultural Engineering Service Co-operative Society – fourth respondent on 01.03.1994 and his probation was successfully completed on 01.03.1996. While he was in service, the society was 'wound up' as per G.O.Ms.No.395, Agricultural Department, dated 27.11.2002. Since he was not given any alternative employment or was not given monetary benefits, he filed a writ petition in W.P.(MD) No.11894 of 2009 for the very same relief as claimed in this Writ Petition and the said Writ Petition was disposed of with a direction to the third respondent – Director of Agriculture/Registration to consider the petitioner's representation, but it was not considered. Hence he filed another writ petition in W.P.(MD) No.4545 of 2019 for the very same relief and this Court, by an order, dated 27.02.2019, directed the third respondent to consider petitioner's representation and pass orders. Accordingly, the third respondent passed the impugned order, stating that the petitioner is not entitled for any alternative employment and directed the petitioner to approach the Liquidator for monetary benefits. Pursuant to the said order, the petitioner approached the Liquidator and it was replied to him that there were no records of the Society since the society was liquidated in the year 2002. Aggrieved over the same, the petitioner has come forward with this Writ Petition.



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3. Admittedly, the society, which the petitioner was working, 'wound up' in the year 2002. The petitioner came forward with the prayer for alternative employment only in the year 2009. Though he was able to get the impugned order, which reads that there is no provision for providing alternative employment to the petitioner, he was not able to substantiate his claim and there is no rule or regulation for providing alternative employment.

4. Learned counsel for the petitioner submits that the petitioner was working only as an Office Assistant and he was not able to immediately initiate the legal proceedings and he awaited for completion of the liquidation proceedings and there is no material before him to show that he has approached the Liquidator, seeking monetary benefits.

5. By the impugned letter, the Liquidator stated that the entire liquidation proceedings have already been completed and his office is not having any documents. As per the Scheme of liquidation, the wages or any benefits payable to the employees will also form part of the liquidation proceedings. There is no material produced by the petitioner to show that he has approached the liquidator in time, for disbursement of monetary benefits.

6. The third respondent has filed a separate counter and stated that there is no proof of employment of the petitioner and though he has produced an appointment order, it has not been substantiated by any other



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documents. There is no document to show whether any benefits, such as gratuity or EPF, are extended to him. There is not even any mention of his employment in the affidavit or representation, more particularly, the date of his last working under Respondent No.4.

7. Since the petitioner is not able to establish that he has continuously worked and there is no evidence to show that he has made any claim before the Liquidator for his claims, such as, unpaid wages and other service benefits, this Court could not come to any conclusion in favour of the petitioner so as to direct the respondents to disburse any amount to him. Except the appointment order, the petitioner has not produced any documents to substantiate his work under the fourth respondent society.

8. In view of the same, I am not inclined to issue any mandamus, and this Writ Petition is dismissed. No costs. Consequently, the connected W.M.P.(MD) No.3511 of 2020 is closed.

10.07.2025

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

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K.RAJASEKAR, J.

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