



W.P(md)No.16172 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated:12.11.2025

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

WP(MD)No.16172 of 2019
and
W.M.P(MD)No.12871 of 2019

P.Senthilkumar

... Petitioner

Vs.

- 1.The Secretary to Government,
Housing and Urban Development Department,
Secretariat,
Chennai-600 009.
- 2.The Registrar,(Housing)
Office of the Registrar of
Co-operative Housing Societies,
48, Ritherdon Road, (2nd Floor)
Vepery, Chennai-600 007.
- 3.The Managing Director,
Tamil Nadu Co-operative Housing Federation Ltd.,
48, Ritherdon Road,
Vepery, Chennai-600 007.
- 4.The Deputy Registrar,(Housing)
Madurai Region,
No.10, Baskar Complex, II Floor,
Besant Road, Chinna Chokkikulam,
Madurai-625 002.
- 5.The President,
MDA/HSG52, Madurai K.Pudur,



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Co-operative House Building Society Ltd.,
293, Karpaga Nagar,
K.Pudur, Madurai-625 007.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the 4th respondent's proceedings Na.Ka.No.168/19/SaPa dated 09.05.2019 and consequential proceedings of the 5th respondent's in Na.Ka.Nil letter dated 13.05.2019 and quash the same and also directing the 2nd to 5th respondents to disburse the terminal benefits for a sum of Rs. 4,01,307/- with 12% interest per annum to the petitioner.

For Petitioner : Mr.M.Venkatesan
For R1,R2&R4 : Mr.M.Sarangan,
Additional Government Pleader
For R3 & R5 : Mr.S.Selvakrishnan
for Mr.S.Kumar

ORDER

The present writ petition has been filed challenging the impugned order dated 09.05.2019, in and by which, the petitioner's claim was assessed as Rs.4,01,307/- which the petitioner's disputes.

2.According to the petitioner, the due payable to him is Rs.8,97,257/- along with applicable interest.

3.The learned Additional Government Pleader appearing for the respondents would submit that the writ Court cannot go into the factual



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position and if at all the petitioner has got any grievance in respect of the order dated 09.05.2019 and 13.05.2019, to approach the appellate tribunal provided under Section 153 of the Tamil Nadu Co-operative Societies Act. Hence, he would submit that the writ petition is not maintainable.

4.This Court is not inclined to go into the maintainability of the writ petition.

5.While looking at the submission made by the learned counsel for the petitioner, he wanted only to his salary due and other terminal benefits. But while looking at the petitioner's contention, there is a difference in respect of the quantum arrived at by the Management and the quantum arrived at by the petitioner. According to the petitioner, the due payable to him at Rs.8,97,257/- along with interest from the date of his Voluntary Retirement. But the fourth respondent, in his order, has stated that the petitioner's eligibility is Rs.4,01,307/-. But subsequent to the above letter, the fifth respondent, instead of settling due amount, has narrated so many facts and would submit that until their financial position would come enabling them to pay the petitioner's due, they are not in a position to pay the same. Such approach of the fifth respondent is absolutely contemptible, as the petitioner had served the department for quite a long time and when he seeks for his



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statutorily entitlement, it is the duty of the respondents to settle the same immediately on his retirement. Therefore, this Court is of the firm view that if at all the petitioner has got any grievance in respect of the quantum of terminal benefits and other back-wages and arrears, it is for him, to approach the appellate Tribunal provided under the Co-operative Societies Act. As far as the quantum already arrived at by the fourth respondent at Rs.4,01,307/- is concerned, this Court would like to give a direction to the fifth respondent to settle the above amount along with interest at the rate of 12% p.a., from the date of his voluntary retirement, within a period of 8 weeks from the date of receipt of this petition. We make it clear that if the petitioner has got any grievance in respect of the quantum determined by the fourth respondent, he is at liberty to approach the appellate Tribunal in accordance with law.

6. With the above observation and direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

12.11.2025

Index : Yes/No

Neutral Citation : Yes/No



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C.KUMARAPPAN, J.

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