



W.P.(MD).No.29606 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

W.P.(MD).No.29606 of 2025

and

W.M.P(MD)Nos.22904 & 22905 of 2025

N.Dhashnamoorthy

...Petitioner

-Vs-

1. The Joint Registrar of Cooperative Societies / Common Cadre Authority
O/o. The Joint Registrar of Cooperative Societies
Tenkasi Region
Tenkasi.

2. The Deputy Registrar of Cooperative Societies
O/o. The Deputy Registrar of Cooperative Societies
Tenkasi Circle
Tenkasi.

3. The Administrator
O.1640, Nagalkulam Primary Agricultural Cooperative Credit Society
Arunaperi
Alangulam Taluk
Tenkasi District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order vide Na.Ka. 3/2022/ThoVeSa (1) dated 30.07.2024 passed by the 1st respondent and quash the same and



W.P.(MD).No.29606 of 2025

consequently direct the respondents to disburse the retirement benefit such as Gratuity, Employees Provident Fund and Earned Leave Salary and other monetary benefit payable to the petitioner within the time frame and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For petitioner : Mr.D.Shanmugaraja Sethupathi

For Respondents : Mr.F.Deepak
Special Government Pleader

ORDER

This writ petition is filed challenging the impugned order vide Na.Ka. 3/2022/ThoVeSa (1) dated 30.07.2024 passed by the 1st respondent and seeking consequential direction to the respondents to disburse the retirement benefit such as Gratuity, Employees Provident Fund and Earned Leave Salary and other monetary benefit payable to the petitioner.

2. The petitioner who had superannuated as early as on 30.07.2024 had not been benefited with the terminal benefits on the ground that under Section 81 of the Co-operative Societies Act, 1983, enquiry is pending against him. The Hon'ble Division Bench of this Court in W.A. (MD)No.818 of 2024 dated 04.06.2024 had held that the terminal benefits of the person who have attained superannuation, cannot be withheld. An



W.P.(MD).No.29606 of 2025

enquiry made under Section 81 of the Co-operative Societies Act, 1983, would entitle the Co-operative Society to initiate surcharge proceedings under Section 87 of the Tamil Nadu Cooperative Societies Act, and if any recovery order is passed, under Section 87(2) of the Tamil Nadu Cooperative Societies Act, recovery can be made only under the provisions of the Tamil Nadu Revenue Recovery Act, 1864.

3. Therefore, the condition imposed on the order permitting him to retire, alone is quashed and the respondents are directed to disburse the terminal benefits to the petitioner within a period of 12 weeks from the date of receipt of a copy of this order.

4. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

19.11.2025

Index : Yes/No
Speaking/Non-Speaking order
Neutral Citation : Yes/No
gvn

3/4



WEB COPY



W.P.(MD).No.29606 of 2025

K.KUMARESH BABU.J.

gvn

To

1. The Joint Registrar of Cooperative Societies / Common Cadre Authority
O/o. The Joint Registrar of Cooperative Societies
Tenkasi Region
Tenkasi.

2. The Deputy Registrar of Cooperative Societies
O/o. The Deputy Registrar of Cooperative Societies
Tenkasi Circle
Tenkasi.

3. The Administrator
O.1640, Nagalkulam Primary Agricultural Cooperative Credit Society
Arunaperi
Alangulam Taluk
Tenkasi District.

W.P.(MD).No.29606 of 2025

19.11.2025