



W.P.(MD).No.33414 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

W.P.(MD).No.33414 of 2025

and

WMP(MD).No.26373 of 2025

K.T.Rajendran

...Petitioner

-Vs-

1. The Joint Registrar of Cooperative Society
Pudukkottai Region
Pudukkottai District.

2.The Special Officer
R912 Veerapatti Primary Agriculture
Co-operative Bank Ltd.
Kaladipatti Chatram
Iluppur Taluk
Pudukkottai District.

3. The Secretary
R912 Veerapatti Primary Agriculture
Co-operative Bank Ltd.
Kaladipatti Chatram
Iluppur Taluk
Pudukkottai District.

...Respondents



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Prayer : Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a WRIT OF CERTIORARIFIED MANDAMUS, calling for the records of the impugned order issued by the 2nd respondent by his proceedings nil No. dated 31.07.2025 quash the same and consequently direct the 2nd respondent to the respondents to pay the retirement benefit payable to the 1 petitioner, such as, Earned Leave Salary, Unearned Leave Salary, Special Provident Fund and Death-cum-Retirement Gratuity (DCRG) within a stipulated time framed by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

For petitioner : Mr.G.Sailendrababu

For Respondents : M/s.M.Siddharthan
Addl. Govt. Pleader

ORDER

This writ petition is filed challenging the impugned order issued by the 2nd respondent by his proceedings nil No. dated 31.07.2025 and seeking consequential direction to the 2nd respondent to the respondents to pay the retirement benefit payable to the 1st petitioner, such as, Earned Leave Salary, Unearned Leave Salary, Special Provident Fund and Death-cum-Retirement Gratuity (DCRG).



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2. Heard Mr.G.Sailendrababu, learned counsel appearing for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents.

3. The petitioner, who was working as a Salesman in the office of the second respondent, has attained the age of superannuation on 31.07.2024 and the third respondent allowed the petitioner to retire from service on the very same day. In the order of retirement, it has been clearly stated that no disciplinary proceedings has been pending against the petitioner and the petitioner has got no dues to be paid to the Department. Therefore, the petitioner has been permitted to retire without any conditions attached. However, so far the retiral benefits has not been disbursed. Aggrieved over the same, the petitioner has filed this Writ Petition.

4. In the impugned order dated 31.07.2025, the 2nd respondent had allowed the petitioner to retire, withholding his terminal benefits and imposed a condition that one Angamuthu has borrowed a loan from the MM325 Pudukottai District Cooperative Employees Society and he has defaulted the loan. Since the petitioner being the guarantor of the said loan,



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only after repayment of the said loan, petitioner's terminal benefits will be release. Presumably, that is the reason why the petitioner's retirement benefits have not been disbursed so far.

5. Mr.G.Sailendra Babu, learned counsel appearing for the petitioner submitted that it is about a matter where the petitioner is said to have stood as a Guarantor for the third party for availing loan from the Pudukottai District Co-operative Employee Society.

6. It is to be noted that this Court on an earlier occasion dealt with the similar case in WP(MD).No.15477 of 2024 and passed an order on 11.07.2024. For better appreciation the relevant portion of the said order is extracted as follows:

"9. Since the borrower has defaulted to pay the loan, an arbitration award has been passed presumably by joining the petitioner in his capacity as a guarantor. Since the E.P. proceedings have been pending from the year 2022 by impleading the second respondent also as a Garnishee, it is in the interest of the award holder to get any order against the Garnishee before the employee gets retirement from the service.



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As on the date when the petitioner was allowed to retire, there was no pendency shown in the order. So it is upto the award holder to initiate any action against the petitioner, in case, he intends to execute the award against the petitioner.

10. In view of the same, there is no necessity to withhold the terminal benefits of the petitioner and the terminal benefits shall be disbursed unminding the impugned proceedings issued against the petitioner on 07.06.2024 since no order of attachment has been passed against the terminal benefits due to the petitioner."

7. This Court is of the view that the said order would be applicable to the present facts of the case. In view thereof, there is no necessity to withhold the terminal benefits of the petitioner and the terminal benefits shall be disbursed as no order of attachment has been passed against the terminal benefits due to the petitioner

8. In view of the above, the Writ Petition is allowed and the impugned order passed by the second respondent dated 31.07.2025 is set aside in so far as it relates to withholding of terminal benefits and the respondents are directed to pay the retirement benefits payable to the



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petitioner, such as, Earned Leave Salary, Unearned Leave Salary, Special Provident Fund and Death-cum-Retirement Gratuity (DCRG) within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

24.11.2025

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