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W.P.No.1976 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.1976 of 2025

And

W.M.P.Nos.2311 & 2312 of 2025 and 1870 of 2026

R.Ganesh

... Petitioner

Vs.

- 1 THE MANAGING DIRECTOR,
THE TAMIL NADU COOPERATIVE MILK PRODUCERS'
FEDERATION LIMITED,
HEAD OFFICE : AAVIN ILLAM,
NANDANAM,
CHENNAI – 600 035.
- 2 THE DEPUTY REGISTRAR (AAVIN),
(DAIRYING)
VELLORE DISTRICT MILK PRODUCING
CO-OPERATIVE UNION,
VELLORE,
VELLORE DISTRICT.
- 3 THE GENERAL MANAGER, (AAVIN)
VELLORE DISTRICT MILK PRODUCING
CO-OPERATIVE UNION,
SATHUVACHARI,
VELLORE,
VELLORE DISTRICT.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to



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issue a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned order passed by the first respondent in his proceedings Ref.No.1598/Pers.Estt.1/2024, dated 31.12.2024 and quash the same and consequently directing the respondents to disburse the petitioner's retirement benefits like Gratuity, EPF, Earned Leave Benefits and unearned leave benefits on private affairs to the petitioner.

For Petitioner : Mr.C.Prakasam
For Respondents : Mr.I.John Arockiadas for R1 and R3
Mr.K.Tamilvendan for R2
Government Advocate

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the entire records relating to the impugned order passed by the first respondent in his proceedings Ref.No.1598/Pers.Estt.1/2024, dated 31.12.2024 and quash the same and consequently directing the respondents to disburse the petitioner's retirement benefits like Gratuity, EPF, Earned Leave Benefits and unearned leave benefits on private affairs to the petitioner.

2.The learned counsel appearing for the petitioner submitted



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that the petitioner was appointed as Assistant Manager on 13.01.1995 in Vellore – Thiruvannamalai District Cooperative Milk Producers Union Limited, Vellore and was promoted as Assistant General Manager in the year 2008. When the petitioner was working as Assistant General Manager in the said Union one Rajamoorthy was working as Cashier and his duty is to collect money from the milk agents at Vaniyambadi area and remit the same in Canara Bank, Vaniyambadi Branch, however, the said Rajamoorthy did not remit the amount in the Bank, due to which, there was heavy loss to the Society.

3.The learned counsel appearing for the petitioner further submitted that disciplinary proceedings and surcharge proceedings were initiated against the petitioner and other erred officials and order was passed by the second respondent in Surcharge Order No.2/2014-15, dated 10.06.2015 and the same was challenged before the Principal District Court and Special Tribunal for Cooperative Cases, Vellore, Vellore District in C.T.A.No.11 of 2015 and the Tribunal modified the order passed by the second respondent and imposed fine amount of Rs.1 Lakh instead of Rs.50,02,319/- along with other employees and challenging the same, the petitioner filed



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C.R.P.No.2628 of 2017 before this Court and the second respondent also filed C.R.P. before this Court and this Court on 06.03.2024 allowed the C.R.P. filed by the petitioner and dismissed the C.R.P. filed by the second respondent. In respect of criminal proceedings, the petitioner filed quash petition in CrI.O.P.No.27616 of 2016 and on 23.07.2019 this Court passed the order quashing the entire charge sheet. The disciplinary proceedings ended in punishment of stoppage of increment for one year without cumulative effect. The petitioner attained the age of superannuation on 31.12.2024. Hence, this Court may issue direction to the respondents to recover the un-implemented punishment and to disburse the balance retirement benefits, within a reasonable time frame.

4.This Court perused the counter affidavit filed on behalf of the respondents 1 and 3. Though the counter affidavit has been filed justifying the reasons for not disbursing the terminal benefits, the criminal case against the petitioner has already been quashed and the surcharge proceedings also ended in favour of the petitioner. In respect of the disciplinary proceedings, the petitioner have no grievance to recover the monetary value of stoppage of increment for one year without cumulative effect from his retirement benefits.



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5. In view of the above, this Court directs the respondents to disburse the retirement benefits due to the petitioner, after deducting the monetary value of stoppage of increment for one year without cumulative effect, to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is allowed on the above terms. No costs. Consequently, the connected miscellaneous petitions are closed.

02.02.2026

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

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THE TAMIL NADU COOPERATIVE MILK PRODUCERS'
FEDERATION LIMITED,
HEAD OFFICE : AAVIN ILLAM,
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M.DHANDAPANI,J.
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