



WEB COPY



WP No. 6165 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

W.P.No. 6165 of 2026

K.Sundaram

..Petitioner

Vs

- 1.The Joint Registrar of Co-operative Societies,
1. Namakkal Taluk,
Namakkal.
- 2.The Deputy Registrar of Co-operative Societies,
Namakkal Taluk,
Namakkal.
- 3 3. The Administrator,
S.1238 Namagripettai Primary Agricultural
Co-operative Credit Society,
Rasipuram Taluk,
Namagripettai PO,
Namakkal District-637 406.

..Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to pay interest for the belated payment of petitioner's terminal benefits at the rate of 12% per annum from the date of the petitioner's retirement on 30.04.2011 and further direct the respondent to pay the petitioner's leave encashment within a reasonable time as may be fixed by this Court.



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For Petitioner :

Mr.R.Suryaprakash

For Respondents :

Mr.K.Tamilvendan

Government Advocate
for R1 and R2

Mr.P.Ganesan
Government Advocate for R3

ORDER

This Writ Petition has been filed to direct the respondents to pay interest for the belated payment of petitioner's terminal benefits at the rate of 12% per annum from the date of the petitioner's retirement on 30.04.2011 and pay the petitioner's leave encashment within a reasonable time fixed by this Court.

2. The petitioner was appointed as Salesman in the third respondent Co-operative Society in the year 1977 and thereafter, he was promoted as Clerk in the year 1998 and was promoted as Senior Clerk in the year 2004. Due to non-recovery of loans disbursed to the members, the second respondent passed a surcharge order dated 28.03.2010 against the then Secretary of the Society and the petitioner was held jointly to be liable with the then Secretary of the Society for non-recovery of two loans and in the surcharge order dated 28.03.2010, it



was stated that a sum of Rs.73,343/- was repaid by the loan borrowers itself and only the remaining amount of Rs.27,930/- was left to be recovered. Thereafter, in the year 2017, the third respondent Society had passed a resolution dated 24.03.2017, wherein, it was resolved that the remaining unsecured loan to be recovered from the petitioner is Rs.27,930/- along with the interest of Rs.89,655/- and a total sum of Rs.1,17,585/- was deducted and adjusted from the earned leave encashment of the petitioner. In the interregnum, the petitioner attained superannuation on 30.04.2011 and the third respondent, vide order dated 30.04.2011, had relieved the petitioner from service and had not paid the retirement benefits to the petitioner. Thereafter, the Society passed a resolution only in the year 2025 and resolved that the unsecured loan disbursed has been recovered from the loan borrowers along with interest and there is no pending amount to be recovered. Thereafter only, the third respondent Society had paid the retirement benefits on 15.03.2025 without any interest and had not paid the leave encashment salary which was deducted. Therefore, the petitioner has sent a representation on 24.11.2025 requesting the respondents to pay interest towards terminal benefits for the belated payment, however, the same has not been considered. Hence, the present writ petition has been filed.



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3. The learned counsel appearing for the petitioner submitted that it would suffice, if the respondents are directed to dispose of the representation of the petitioner dated 24.11.2025 on merits and in accordance with law, within a specified period.

4. The learned Government Advocate appearing for the respondent Nos.1 and 2 and the learned Government Advocate appearing for the third respondent have no objection for such an order being passed by this Court.

5. In view of the limited request made by the learned counsel appearing for the petitioner, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner dated 24.11.2025 and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

19-02-2026

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

ssb



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To

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M.DHANDAPANI, J.

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