



WEB COPY

WP No. 11525 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

**WP No. 11525 of 2026
and WMP.No.12570 of 2026**

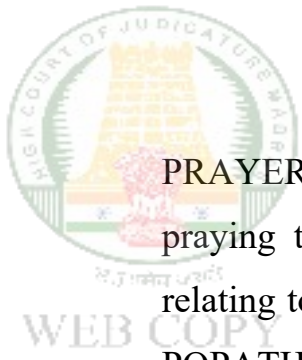
N.Gopi Sundar
Secretary (Retd.)
G. 1452 Arayapakkam Primary Agricultural
Co-operative Credit Society
No.50, Bajanai Koil Street
Kadapperi – 603 306
Maduranthagam Taluk
Chengalpattu District.

..Petitioner

Vs

1. The Joint Registrar of Co-op. Societies
3rd Floor, F Block,
District Collectorate Compound,
Venpakkam, Chengalpattu - 602 111.
2. The Deputy Registrar of Co-op. Societies
Office of Deputy Registrar Co-op Societies,
Maduranthagam Zone,
Hospital Road,
Maduranthagam -603 306
Chengalpattu District
3. The Administrator
G. 1452 Arayapakkam Primary Agricultural
Co-operative Credit Society
Arayappakkam Village
Maduranthagam Taluk,
Chengalpattu District

..Respondents



PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the 1st Respondent in Na.Ka.48/2024 POPATHI (2) dated 28.06.2024 and quash the same and consequently direct the respondents to pay the retirement benefits such as Provident Fund Rs.21,84735/-, Gratuity Rs.15,49,800/- and Rs.5,74,240/- towards encashment of Earned Leave in his credit along with security amount Rs.5000/- along with interest at 12 percent per annum from the date of retirement of the petitioner till date of payment and pass orders.

For Petitioner: Mr.K.C.Muthulakshmi

For Respondents: Mr.S.Ravikumar
Special Government Pleader (Co-op)
for R1 & R2

Ms.A.Bakkiyalakshmi
Government Advocate for R3

ORDER

The above writ petition has been filed seeking the following relief:

“ To call for the records relating to the impugned order passed by the 1st Respondent in Na.Ka.48/2024 POPATHI dated 28.06.2024 and quash the same and consequently direct the respondents to pay the retirement benefits such as Provident Fund Rs.21,84735/-, Gratuity Rs.15,49,800/- and Rs.5,74,240/- towards encashment of Earned Leave in his credit along with security amount Rs.5000/- along with interest at 12 percent per annum from the date of retirement of the petitioner till date of payment ”



2. It is the case of the petitioner that he was appointed in the 3rd, respondent-Society as Secretary on 16.09.1985 and had attained superannuation on 30.06.2024 after serving for a period of 39 years. During his tenure as Secretary, he was posted as Additional- incharge of Kallapiranpuram Primary Co-operative Society from 14.07.2015 to 11.10.2015 to assist the Enquiry Officer. After completing the work assigned to him at Kallapiranuram Primary Co-operative Society, the petitioner had returned back to his office and continued his service from 11.10.2015, and had retired on 30.06.2024.

3. The petitioner would submit that after a period of three years of his being relieved from the post of Additional Incharge of Kallapiranpuram Primary Co-operative Society, an inspection has been conducted in the said Society and it was found that 72 jewels were auctioned on 21.12.2018, and a sum of Rs.8,32,408/- was assessed to loss, due to the delayed auction in 2012, 2013, 2014, 2015 and 2017. Pursuant to the same, surcharge proceedings was initiated against 14 persons including the petitioner. The petitioner would submit that he had served in the said Society only for a period of three months i.e., 14.07.2015 to 11.10.2015 and during which period, only 2 jewel loans were auctioned and the Society had met with a loss of Rs.2,035/- only, which the



petitioner had agreed to pay, so as to get rid of his mental agony. However, the respondents had refused to it. Therefore, the petitioner had approached the Co-operative Tribunal and filed C.M.A. No.12 of 2020 before the District Judge, Chengalpattu and the same is pending,

4. While so, the first respondent had issued the impugned order 28.06.2024, which was served on the petitioner on the date of his superannuation, in and by which, the petitioner was relieved from duty without passing the retirement orders. Aggrieved by the same, the petitioner had submitted his representations on 11.07.2025, 12.9.2025, 06.11.2025 and 14.11.2025 and 27.02.2026 requesting to apportion his liability in the surcharge order and to pay him the retirement benefits.

5. According to the petitioner, as per the letter of the 3rd respondent-Society, he was entitled to the following retirement benefits :

Sl. No.	Details of Retirement benefits	Amount (Rs.)
1.	Provident Fund	21,84,735.00
2.	Gratuity	15,49,800.00
3.	Earned Leave Surrender of 240 days	5,74,240.00
4.	Security Deposit	5,000.00
Total :		43,13,775.00



6. The grievance of the petitioner is that despite his readiness to pay the apportioned amount arrived at in the surcharge proceedings and his several representations seeking to allow him to retire and to settle his retirement benefits which he is entitled to along with interest, the respondents had neither allowed him to pay the apportioned amount of the surcharge order nor paid him the retirement benefits. Aggrieved by the same, the petitioner is before this Court.

7. Heard the learned counsel on either side and also perused the materials placed on record.

8. A perusal of the records would show that the impugned order has been passed pursuant to the conclusion of the departmental enquiry. The petitioner appears to have challenged the surcharge proceedings by approaching the Co-operative Tribunal, Chengalpattu in CMA.No.12 of 2020. Meanwhile, the petitioner has also submitted several representation citing above reliefs as early as 2015 and the recent one is dated 27.02.2026. It is also seen that the petitioner was not given an opportunity of hearing to put forth his case.

9. This Court, without going into the merits of the case and considering



the objections raised by the petitioner to the impugned order, it would suffice that a direction be issued to the first respondent to dispose of the representation of the petitioner dated 27.02.2026, after affording an opportunity of hearing to the petitioner and thereafter pass orders. The entire exercise shall be completed by the first respondent on or before 01.06.2026.

10. With the above directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Post the matter for reporting compliance on 03.06.2026.

30-03-2026

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

To:

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3rd Floor, F Block,
District Collector Compound,
Venpakkam, Chengalpattu - 602 111.
2. The Deputy Registrar of Co-op. Societies
Office of Deputy Registrar Co-op Societies,
Maduranthagam Zone, Hospital Road,
Maduranthagam -603 306, Chengalpattu District
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P.T.ASHA, J.

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