



WEB COPY

WP No. 29397 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 29397 of 2024

and

WMP No.866 of 2026

M.Dhanasekar
S/o.Munusamy,
98, V.1, Anna Nagar
Near M.G.R. Nagar
Dharmapuri District.

..Petitioner(s)

Vs

1. The Deputy Registrar of Co-op Societies
(Housing)
Cuddalore District.
2. Virudhachalam Taluk Co-op
Housing Society Ltd,
S A H S G 56 5/12,
Gandhi Street, Thiru.Vi.Ka Nagar, Kathukudalur
Road, Viruthachalam-606 001
Rep. by Its Administrator.

..Respondent(s)

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to disburse the service benefits of the petitioner consequent on his resignation from the service of the 2nd respondent co-op society w.e.f., 30.04.2024 A.N., amounting to Rs.28,74,550/- with interest at 18% per annum, such as Provident Fund,



Gratuity Leave Encashment, Arrears of pay etc., within a limited time frame as per Resolution No.2 dated 25.06.2024 and proposals submitted by the 2nd respondent.

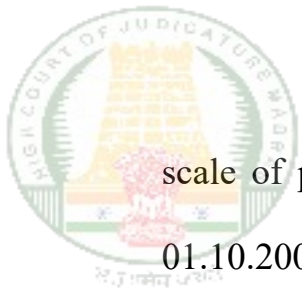
For Petitioner(s): Mr.J.Muthukumaran

For Respondent(s): Mr.E.P.Senniyangiri for R1 & R2
Government Advocate

ORDER

This petition has been filed seeking a direction to the respondents to disburse the service benefits due to the petitioner consequent upon his resignation from the service of the 2nd respondent Co-operative Society w.e.f., 30.04.2024 A.N., amounting to Rs.28,74,550/- with interest at 18% per annum, such as Provident Fund, Gratuity Leave Encashment, Arrears of pay etc., within a limited time frame in terms of Resolution No.2 dated 25.06.2024 and the proposals submitted by the 2nd respondent.

2.The case of the petitioner is that he was appointed as an Attender in the second respondent Co-operative Society, as per Resolution No.17/96-97 dated 25.01.1997 passed by the Board of Directors of the Society, on a consolidated monthly pay of Rs.1300/-. He was declared to have satisfactorily completed the period of probation on 01.02.1998 and was thereafter, placed in the regular time



scale of pay. Thereafter, the petitioner was promoted as Junior Clerk w.e.f 01.10.2002. Subsequently due to compelling family circumstances, the petitioner was constrained to resign from service. He submitted his resignation letter dated 01.04.2024, to take effect from 30.04.2024 to the second respondent with an advance copy marked to the first respondent. The first respondent, by letter dated 05.06.2024 called for the remarks of the second respondent regarding the petitioner's resignation. Accordingly, the second respondent passed a Resolution dated 25.06.2024 accepting his resignation and resolving to disburse the benefits due to him. In this regard, the second respondent also submitted a proposal to the first respondent on 25.06.2024, stating that a sum of Rs.28,74,550/- was due to be disbursed to the petitioner towards Provident Fund, Gratuity, leave encashment and arrears of pay etc., But the first respondent has not passed any orders on the said proposal. In the meanwhile, the petitioner was relieved from service on 30.04.2024 (afternoon), in anticipation of orders from the first respondent. As per the provisions of Special By-laws of the Society, the respondents are duty-bound to disburse the service benefits to the petitioner without delay. Hence this writ petition has been filed.

3.The learned counsel for the petitioner would submit that this Court may issue a direction to the respondents to disburse the terminal benefits due to the petitioner within a reasonable time to be fixed by this Court.



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4. The learned Government Advocate appearing for the respondents would submit the applicable terminal benefits, if the petitioner is otherwise eligible, will be settled within a reasonable time to be fixed by this Court.

5. In view of the above, this Writ Petition stands disposed of with a direction to the respondents to settle the applicable terminal benefits to the petitioner, if he is otherwise eligible, within a period of six (6) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

23-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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- To
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(housing)
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M.DHANDAPANI, J.

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