



W.P.(MD).No.5679 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08-04-2026

CORAM :

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.5679 of 2024

and

W.M.P.(MD).Nos.5371 & 5372 of 2024

P.Nagarathinam

...Petitioner

Vs

1. The Registrar of Co-operative Societies,
E.V.R. High Road,
Kilpauk,
Chennai.

2. The Joint Registrar of Co-Operative Societies,
Collectorate Campus,
Nagercoil,
Kanyakumari District.

3. The Deputy Registrar of Co-Operative Societies,
Collectorate Campus,
Nagercoil,
Kanyakumari District.

4. The Secretary,
1918, Thazhakudy Primary Agricultural Co-Operative Credit Society,
Kanyakumari 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, to call for the records pertaining to the impugned order passed by the 2nd respondent in Na.Ka.No. 3319/2022/ThooVoSa(4) dated 28.06.2023 and quash the same as illegal and consequently direct the 2nd and 3rd respondents to disburse the retirement benefits i.e. Surrender leave salary and gratuity with 12 percentage of interest w.e.f. 28.06.2023 to the petitioner within the time fixed by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : M/s.D.Shanmugaraja Setupathi

For Respondents Mr.S.Shaji Bino,
Special Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the 2nd respondent in Na.Ka.No.3319/2022/தொவோச(4) dated 28.06.2023, whereby the petitioner was permitted to retire from service subject to the result of WP(MD).No.15056 of 2023.

2. Heard the learned Counsel appearing on either side and perused the materials available on record.



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3. The 2nd respondent issued the impugned proceedings permitting the petitioner to retire from service on attaining the age of superannuation with effect from 30.06.2023, subject to the condition that the petitioner's terminal benefits shall be disbursed depending upon the outcome of the said writ petition, i.e., WP(MD) No.15056 of 2023. Challenging the same, the petitioner has approached this Court by filing the present writ petition.

4. This Court finds that the relief sought in W.P.(MD) No.15056 of 2023 has become infructuous, and accordingly, the said writ petition was dismissed as infructuous by order dated 08.04.2026. Therefore, the only condition imposed in the impugned proceedings dated 28.06.2023 no longer survives. In light of the above, there cannot be any impediment for the 4th respondent society to disburse the terminal benefits to the petitioner, who has already retired from service on 30.06.2023.



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5. Accordingly, this writ petition is disposed of with a direction to the 2nd respondent to authorise payment of all terminal benefits in favour of the petitioner, and the 4th respondent is further directed to disburse all such terminal benefits to the petitioner with applicable interest, as per rules. The entire exercise shall be completed by the 1st and 2nd respondents within a period of four weeks from the date of receipt of a copy of this order, and thereafter, the 4th respondent shall comply with its obligation under this order within a further period of eight weeks.

6. With the above observations, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

08.04.2026

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NCC:yes/no
Index:yes/no
Internet:yes/no
gvn



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To:

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MUMMINENI SUDHEER KUMAR, J.

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