



WP(MD). No.11771 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 12/06/2026

CORAM

THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

WP(MD). No.11771 of 2026

T.Jothi Fathima

... Petitioner

Vs.

1. The Joint Registrar of Co-operative Societies,
Thoothukudi District.

2. The Deputy Registrar of Co-operative Societies,
Tiruchendur.

3. The Administrator,,
O.437, Vellalanvilai Primary
Agricultural Cooperative Credit Society,
3/6 Bishop Achariya Street,
Vellalanvilai, Thoothukudi District.

... Respondents

PRAYER:- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus directing the first and second respondents to pass necessary orders enabling the third respondent society to settle the Gratuity Amount of Rs.4,07,428/- with interest at the rate of 12 percent from 30.06.2022 till petitioner's Gratuity benefits are settled.



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For Petitioner : Mr.R.Saravanan

For R1 & R2 : Mrs.K.Porkodi
Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the first and second respondents to pass necessary orders enabling the third respondent society to settle the Gratuity amount of Rs.4,07,428/- with interest at the rate of 12% from 30.06.2022 till the date of settlement.

2. This matter earlier came up for consideration on 22.04.2026 and this Court ordered notice to the third respondent. Though notice was served on the third respondent, none entered appearance.

3. Mrs.Porkodi, learned Government Pleader appearing for respondents 1 and 2, on instructions, submits that there is no dispute about the entitlement of the petitioner for payment of gratuity to the tune of Rs.4,07,428/- and it is only because of poor financial condition of the third respondent, the said amount could not be paid to the petitioner.



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4. On the other hand, the learned counsel for the petitioner has drawn the attention of this Court to paragraph No.5 of the affidavit, wherein it is stated that one person by name A.Ranytha Peeris, who served as the Secretary in the third respondent Society and retired from service on 31.12.2022, has been paid all the terminal benefits, including gratuity. But the petitioner is not paid though he was retired as early as on 30.06.2022.

5. Taking into consideration the submissions made on either side, this Court is of the view that once liability is admitted, it is not open for the third respondent to withhold payment of gratuity amount to the petitioner. The petitioner has retired from service as early as on 30.06.2022, that is almost 4 years ago, but his terminal benefits are not settled as on date. This Court has concluded that the third respondent has no authority to retain the amount payable towards gratuity. This Court does not see any impediment in passing appropriate orders for disbursal of the gratuity amount payable to the petitioner together with interest.



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6. Accordingly, this writ petition is disposed of directing the third respondent to pay a sum of Rs.4,07,428/- towards gratuity payable to the petitioner together with interest at the rate of 10% from 30.06.2022 till the date of payment. The said exercise shall be completed by the third respondent as expeditiously as possible, at any rate, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

12.06.2026

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
CM

TO

1. The Joint Registrar of Co-operative Societies,
Thoothukudi District.

2. The Deputy Registrar of Co-operative Societies,
Tiruchendur.

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MUMMINENI SUDHEER KUMAR,J

CM

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