



W.P(MD)No.15994 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2026

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THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.15994 of 2026

S.Subramanian

.. Petitioner

Vs

1.The Registrar of Co-operative Societies (Housing)
Chennai.

2.The Deputy Registrar of Co-operative Societies (Housing)
Madurai Region,
No.5, Baskar Complex 2nd Floor,
Chokkikulam, Madurai - 625 023.

3.The Secretary,
D.D.No.193, Dindigul Cooperative Housing,
Society ltd.,
No.21, Ganapathy Agraharam,
Dindigul -1.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to settle a sum of Rs.5,62,050/- towards service benefits of the petitioner with interest at the rate of 12 percent per annum as ordered in C.P.No.42 of 2008 dated 12.10.2012 within stipulated time.

For Petitioner : Mr.S.Kumar

For Respondents : Mrs.K.R.Shivashankari
Govt. Advocate



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ORDER

The petitioner seeks a direction to the third respondent to implement the order dated 12.10.2012 passed by the Labour Court, Tiruchirappalli, in C.P. No.42 of 2008.

2.The petitioner retired from service while working as Secretary of the third respondent Society. Claiming that certain terminal benefits had not been paid, he filed a claim petition under Section 33-C(2) of the Industrial Disputes Act before the Labour Court, Tiruchirappalli. By order dated 12.10.2012, the Labour Court directed the third respondent to pay a sum of Rs.5,62,050/- to the petitioner on or before 31.10.2012 and, in default, to pay the said amount with interest at the rate of 12% per annum.

3.According to the petitioner, the order passed by the Labour Court has attained finality. However, the third respondent failed to comply with the same on the ground of financial difficulties. The petitioner states that he submitted representations dated 30.10.2012, 24.06.2013 and 04.01.2025 seeking implementation of the order, but no action was taken.



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4.The petitioner further submits that the third respondent Society has subsequently sold certain immovable properties and received substantial sale consideration and is therefore in a position to satisfy the liability arising under the order of the Labour Court.

5.The learned Government Advocate appearing for the respondents submitted that though the order of the Labour Court has attained finality, the petitioner is not entitled to claim interest after having approached this Court nearly fourteen years later. It was also contended that the claim is barred by limitation.

6. The submissions made on either side have been considered.

7.It is not in dispute that the order passed by the Labour Court in C.P. No.42 of 2008 directing payment of Rs.5,62,050/- to the petitioner has attained finality. Once the order has become final, the third respondent is under a legal obligation to comply with the same. The records further disclose that the petitioner had been making repeated representations seeking implementation of the order. Therefore, the failure of the third respondent to honour the order cannot be justified on the ground of financial constraints.



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8.The amount awarded by the Labour Court, having attained finality, cannot be denied to the petitioner on the ground of delay in approaching this Court. The obligation to satisfy the award continues until the liability is discharged.

9.Accordingly, the writ petition is allowed. The third respondent is directed to pay a sum of Rs.5,62,050/- to the petitioner in terms of the order dated 12.10.2012 passed by the Labour Court, Tiruchirappalli, in C.P. No.42 of 2008, within a period of four weeks from the date of receipt of a copy of this order.

10.In the event of failure to comply with the above direction within the stipulated period, the amount shall carry interest at the rate of 12% per annum from the date of expiry of the said four-week period until the date of actual payment. No costs.

22.06.2026

NCC : Yes/No

Index : Yes/No

Internet:Yes

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HEMANT CHANDANGOUDAR, J.

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