

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.12.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.34126 of 2017

K.Ganesan

... Petitioner

VS

1. The Registrar (Housing),
Tamil Nadu Cooperative Housing Federation,
No.48, Rutherford Road,
Veperi, Chennai.

2. The Assistant Registrar (Housing)
Vellore Region,
No.15, West Main Road,
Gandhi Nagar,
Vellore, Vellore District.

3. The President,
Vellore Cooperative, Housing,
Sangam Ltd. No.2123,
No.5, 1/4A,
Barathidasan Street,
Ram Nagar, (Near Tolgate)
Vellore, Vellore District.

... Respondents

PRAYER: Writ petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the third respondent to disburse the retirement benefits of the petitioner within stipulated period along with interest.

For Petitioner : Mr.M.Sathish Kumar

For R1 & R2 : Mrs.T.Girija

Government Advocate

For R3 : Mr.L.P.Shanmugasundaram
Special Government Pleader.

O R D E R

The limited prayer sought for in the present writ petition is for a direction to the respondents to disburse the retirement benefits to the petitioner.

2. According to the learned counsel for the petitioner, he had voluntarily resigned from the respondents

society on 19.09.2014, which came to be approved on 14.10.2014 by the third respondent. Pursuant to the retirement, the petitioner had made several representations seeking for disbursement of retirement benefits, which proved futile. Hence the present writ petition.

3. It is needless to point out that whenever a representation is made to the respondents, seeking for any relief, the respondents cannot keep it pending indefinitely and need to pass orders on the same in one way or the other.

4. It is rather unfortunate, that one of the petitioner's representations dated 22.09.2017, made in this regard, was pursuant to various representations made from the date of the petitioner's resignation in the year 2014. Hence, it would be appropriate to direct the third respondent to pass orders on the petitioner's representation within a time limit.

5. Under such circumstances, there shall be a direction to the third respondent to consider the petitioner's representation dated 22.09.2017 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this Order. The petitioner is directed to submit a copy of the representation dated 22.09.2017 along with this order to the respondents.

6. With the above observation, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

rts

To

1. The Registrar (Housing),
Tamil Nadu Cooperative Housing Federation,
No.48, Rutherford Road,
Veperi, Chennai.

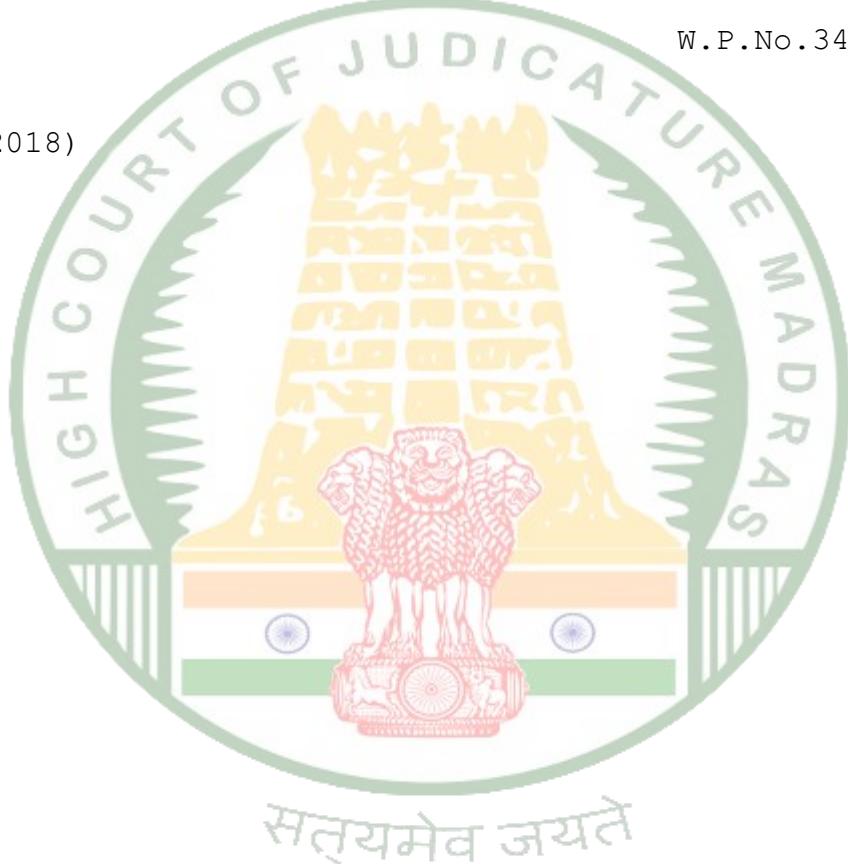
2. The Assistant Registrar (Housing)
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+1cc to Mr.M.SATHISHKUMAR Advocate, S.R.No. 92679/17
+1cc to Mr.L.P.SHANMUGASUNDARAM, Advocate, S.R.No. 11/18
+1cc to the Government Pleader, S.R.No. 305/18

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RJ(CO)
TR(19/01/2018)



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