



W.P.(MD)No.5612 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 13.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.5612 of 2021

Karthigai Sami

... Petitioner

Vs.

1.The Registrar of Co-operative Societies,
O/o.The Registrar of Co-operative Societies,
Kilpauk, Chennai.

2.The District Collector,
Ramanathapuram District,
Ramanathapuram.

3.The Joint Registrar of Co-operative Societies,
O/o.The Joint Registrar of Co-operative Societies,
Ramanathapuram,
Ramanathapuram District.

4.The Deputy Registrar of Co-operative Societies,
O/o.The Deputy Registrar of Co-operative Societies,
Paramakudi, Ramanathapuram District.

5.The Secretary,
Q.1233, Puthuruthi Primary Agricultural
Co-operative Credit Society,
Situating at Koodangulam,
Kamuthi Taluk,
Ramanathapuram District.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the respondents to take



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appropriate action upon the petitioner's representation dated 24.02.2021 and consequently, to return back the petitioner's jewels weighing about 15 ½ sovereigns [two gold chains, weighing about 7 ½ and 8 sovereigns respectively] to the petitioner by receiving the petitioner's jewel loan's amount along with its interest within the time limit that may be stipulated by this Court.

For Petitioner : Mr.M.S.Jeyakarthik

For Respondents : Mr.A.K.Manikkam
Special Government Pleader

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents to act upon the representation made by the petitioner on 24.02.2021, wherein the petitioner seeks for return of the jewels that were pledged by him while availing jewel loan on the ground that the petitioner is willing to repay the entire loan amount with interest.

2.When the matter is taken up for hearing, the learned Special Government Pleader appearing on behalf of the respondents, on instructions, submitted that the jewels that were pledged by the petitioner were already brought for auction in the year 2017 after effecting paper publication on 24.03.2017 and the jewels were also sold in the public auction.



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3.The learned counsel for the petitioner submitted that the petitioner was never put on notice by the respondents and the entire auction had taken place behind the back of the petitioner. He further submitted that the jewels that were brought for auction do not pertain to the jewels that were pledged for the present jewel loan.

4.In the considered view of this Court, it is not necessary for this Court to go into this dispute for the present. It will suffice, if a direction is given to the fifth respondent to deal with the representation made by the petitioner on 24.02.2021 and take a decision within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation along with all the relevant records and also a copy of this order.

5.This writ petition is disposed of with the above direction. No costs.

13.10.2023

NCC : Yes / No
Index : Yes/No
Internet : Yes/No
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N.ANAND VENKATESH, J.

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