

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.17200 of 2015
and
M.P.Nos.1 & 2 of 2015

Thiru K.Thangavel

...Petitioner

-vs-

1. The Secretary
Thekkalur Primary Agricultural Cooperative Credit Society
Tiruppur District
Tiruppur

2. The Sub Registrar
Office of the Cooperative Societies
Tiruppur Division
Tiruppur

...Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records on the file of the second respondent in No.2794 dated 09.06.2015 quash the same and direct the respondents to furnish the certified copies of the reference, claim petition lodged with the arbitrator, award/decreed of the arbitrator, certificate obtained as per Section 150 of the Act and etc., to the petitioner within a time frame.

For Petitioner : Mr.S.N.Kirubanandam

For Respondents : Mr.D.Venkatachalam
Government Advocate

ORDER

This writ petition has been filed by Mr.K.Thangavel seeking issuance of a writ of certiorarified mandamus, to call for the records of the second respondent in No.2794 dated 09.06.2015, quash

the same with a direction to the respondents to furnish the certified copies of the reference, claim petition lodged with the arbitrator, award/decreed of the arbitrator, certificate obtained as per Section 150 of the Act and etc., to the petitioner.

2. Mr.D.Venkatachalam, learned Government Advocate takes notice on behalf of the respondents.

3. The petitioner had availed agricultural loan from the first respondent-Thekkalur Primary Agricultural Cooperative Credit Society, Tiruppur for doing agricultural activities. However, he has committed default for failure of monsoon, non-availability of manpower etc. In view of the default committed by the petitioner, the first respondent claimed the repayment of the entire amount along with interest at the rate of 24% to 28% per annum and finally the matter was referred before an arbitrator, who has also passed an ex parte award. Thereafter, it appears that the award came to be implemented. It is at this stage the petitioner has come to this Court seeking the aforesaid relief.

4. This Court is not able to see any merits in entertaining the writ petition. However, since the learned counsel for the petitioner has submitted that he was not issued with any notice with regard to the arbitration proceedings, the respondents are hereby directed to furnish the certified copies of the reference, claim petition lodged with the arbitrator and the award passed by the arbitrator to the petitioner within a period of one week from the date of receipt of a copy of this order. With this direction, the writ petition stands dismissed. Consequently, M.P.Nos.1 & 2 of 2015 are also dismissed. No costs.

Sd/-
Assistant Registrar (CO)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

ss

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To

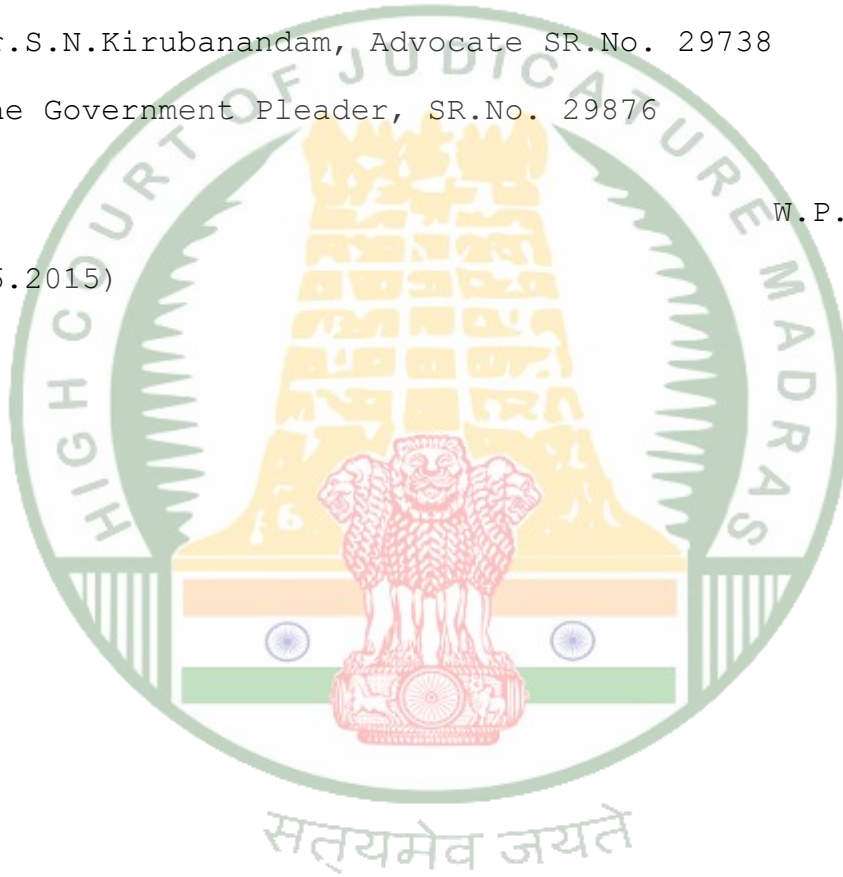
1. The Secretary
Thekkalur Primary Agricultural Cooperative Credit Society
Tiruppur District
Tiruppur
2. The Sub Registrar
Office of the Cooperative Societies
Tiruppur Division
Tiruppur

1 CC to Mr.S.N.Kirubanandam, Advocate SR.No. 29738

1 CC to the Government Pleader, SR.No. 29876

MP (CO)
PSI (18.06.2015)

W.P.No.17200 of 2015



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