

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.09.2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.30093 OF 2015

S.Swamynathan

[PETITIONER]

Vs

The Deputy Registrar
(Housing) and Arbitrator
u/s.90 TN Co-op.Societies Act 1983
No.18, Ramanathan Street,
T.Nagar, Chennai-600 017.

[RESPONDENT]

Writ petition is filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the Respondent to dispose of the Petitioner's Statutory/ Arbitration Petition dated 09.10.2013 long pending before him having been filed under Section 90 (1)(b) of the Tamil Nadu Co-Operative Societies Act 1983 expeditiously within a time frame as may be stipulated by this Honourable Court.

For Petitioner : Mr.Rajendiran

For Respondents : Mr.D.Venkatachalam

O R D E R

With the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner applied for a plot in the Housing Society called Tamil Nadu Secretariat Staff Co-operative Housing Society Ltd., and accordingly, he was allotted a house plot on 15.07.2002. However, on certain irregularities committed by the President of the Society, the Vigilance and Anti Corruption Wing has taken over the investigation. Meanwhile, the petitioner filed a Writ Petition in W.P.No.8091 of 2012 and this Court dismissed the Writ Petition on 15.06.2012, with a direction to the petitioner to raise a dispute under section 19 of the Co-operative Societies Act before the respondent. Accordingly, the petitioner raised a dispute under section 90(1) (b) of the Tamil Nadu Co-operative Societies Act, 1983 before the respondent on 09.10.2013 and so far the said dispute has not been adjudicated. Therefore, the petitioner is before this Court.

3. Heard Mr.Rajendiran, learned counsel appearing for the petitioner and Mr.D.Venkatachalam, learned counsel appearing for the respondent.

4. Taking into consideration of the fact that as per the order of this Court dated 15/06/2012, made in W.P.No.8091 of 2012, the petitioner has approached the respondent on 09.10.2013, by filing a Petition under section 90(1)(b) of the Act before the respondent and the same is pending for the past two years, the respondent is directed to consider the petition filed by the petitioner dated 09.10.2013, adjudicate the dispute and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court is not expressing any opinion on the merits of the petition filed by the petitioner.

The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(Records)

/True Copy/

Sub-Assistant Registrar

rpa
To

1 The Deputy Registrar (Housing)
and Arbitrator u/s.90
TN Co-op.Societies Act 1983
No.18, Ramanathan Street,
T.Nagar, Chennai-600 017.

+1 C.C. To MR.S.RAJENDIRAN, Advocate in SR.NO.51997

+1 C.C. To Government Pleader, Vide SR.NO.52211

GJ(CO)
sd : 07/10/2015

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