



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.01.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.(MD)No.20325 of 2014

and

M.P.No.1 of 2014

Suseela

: Petitioner

Vs.

1. The General Manager,
Tamil Nadu Co-operative Housing Society,
Venkatasamy Vasigam Nilayam,
P.O.No.486, 48, Rithardan Road,
Veppari, Chennai 7.
 2. The Sub Registrar,
Co-operative Housing Society,
Madurai.
 3. The Secretary,
The Madura Coats and other,
Public Services Co-operative Housing Society Ltd., A2591,
Madurai.
- : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 23.09.2014 and permit the petitioner to remit the housing loan amount after deducting the amounts already remitted by the petitioner under One Time Settlement Scheme according to the Government Order of Tamil Nadu.

For Petitioner	: Mr.A.G.Senthilkumar
For Respondent Nos.1&2	: Mr.M.Murugan Government Advocate
For Respondent No.3	: Mr.D.Muruganantham

O R D E R

The petitioner has come up with the present Writ Petition seeking a Writ of Mandamus directing the respondents to consider her representations dated 23.09.2014 and permit her to remit the housing loan amount after deducting the amounts already remitted by her under One Time Settlement Scheme according to the Government Order.



2. The learned counsel appearing for the petitioner would submit that the petitioner is ready and willing to settle the housing loan amount after deducting the amounts already remitted by her under One Time Settlement Scheme.

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3. The learned Government Advocate appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent would submit that the Writ Petition is liable to be dismissed on the ground that as against a Co-operative Society, a writ will not lie, as per the dictum laid down by the Larger Bench of this Court in **Marappan K. v. The Deputy Registrar of Co-operative Societies, Namakkal**, reported in **[2006(4) CTC 689]**.

4. However, the learned counsel appearing for the third respondent would submit that if the petitioner approaches the authority concerned to remit the amount under One Time Payment, the authority concerned will furnish the details regarding the amount payable by the petitioner, after adjusting the amount already paid by her, and thereafter, the claim of the petitioner will be considered.

5. Recording the said submission made, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To

1. The General Manager, Tamil Nadu Co-operative Housing Society, Venkatasamy Vasigam Nilayam, P.O.No.486, 48, Rithardan Road, Veppari, Chennai 7.
2. The Sub Registrar,
Co-operative Housing Society, Madurai.
3. The Secretary, The Madura Coats and other,
Public Services Co-operative Housing Society Ltd., A2591,
Madurai.

+1cc to Special Government Pleader, in SR No.1768.

ORDER MADE IN
W.P. (MD) No.20325 of 2014
12.01.2015