

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 26.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.15350 of 2016

R.Shanmugham

[PETITIONER]

Vs

1 The Coimbatore Town Development
Co-operative Housing Society Ltd
K.525 rep by Special Officer
Project Office, Block No.3 F. No.002
Co-operative Vallalar Nagar, Ondipudur
Coimbatore-641 016.

[RESPONDENT]

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus to call for the entire records on the file of the respondent in connection with the notice dated 20.02.2016 Association Letter No. 1/06 and quash the same and consequently directing the respondent to execute the sale deed in respect of Block No.4 , Flat No.005, House No. B4/GF in Ground, Co-Operative Vallalar Nagar, Ondipudur, Coimbatore-641 016, in Favour of the petitioner.

For Petitioner : Mr.A.Suresh

For Respondent : Mr.L.P.Shanmuga Sundaram
Special Govt. Pleader

O R D E R

Heard Mr.A.Suresh, learned counsel appearing for the petitioner and Mr.L.P.Shanmuga Sundaram, learned Special Government Pleader accepting notice for the respondent and with the consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

2.The petitioner has challenged the notice issued by the respondent Society dated 20.02.2016, calling upon the petitioner to remit a sum of Rs.3,29,315/-, being the interest for the delayed payment of instalments towards the cost of the double bed room residential flat, which has been allotted to him by the respondent Society. On receipt of the notice, the petitioner has sent a representation on 23.02.2016, requesting

for details as to how the said amount has been arrived at. Based on the said representation, the respondent Society have given a calculation.

3.If the petitioner seeks to dispute the same, then he has to approach the Revisional Authority under the provisions of the Tamil Nadu Co-operative Societies Act and express his grievance, for which purpose writ of mandamus cannot be issued. Accordingly, while declining to grant the relief as sought for by the petitioner, liberty of granted to him to file a Revision Petition under the provisions of the Act, before the competent authority.

The Writ Petition is dismissed with the above observations. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

rpa

To

1 The Coimbatore Town Development
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Coimbatore-641 016.

+1 cc to Mr.A.Suresh, Advocae, sr.26098

+1 cc to Mr.L.P.Shanmugasundaram, Advocate, sr.26194

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