

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. No.19722 of 2016

K.Selvam

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Petitioner

Vs.

1. The Registrar,
Registrar Office,
Co-operative Societies Employer Thrift
and Credit Society (Ega Theatre Opp.)
Chennai - 600 010.

2.The Deputy Registrar,
Co-operative Societies Employer Thrift
and Credit Society
Tiruvarur District.

3.The Secretary,
Tamil Nadu Electrical Board,
Co-operative Societies Employer Thrift
and Credit Society
Tiruvarur District.

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Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India for issue of writ of mandamus directing the 3rd respondent to receive the petitioner's loan balance amount of Rs.42,000/- and consider the petitioner's representation to the respondents on 31.03.2016.

For Petitioner : Mr.M.Senthamizh Selvan

For Respondents: Mrs.T.P.Savitha,
Govt. Advocate (Co.op)

O R D E R

The petitioner is working as a Junior Chemical Analyst at North Chennai Electric Thermal Plant - I and he borrowed a sum of Rs.3,00,000/- as loan from the 3rd respondent on 16.06.2011. The petitioner regularly paid a sum of Rs.6,000/- per from the year August 2011 to February 2015 and totally, a

sum of Rs.2,58,000/- was paid by the petitioner and balance amount payable is only a sum of Rs.42,000/-. Though the petitioner is ready to make the balance amount of Rs.42,000/-, from March 2015 onwards, the respondents are not receiving the balance amount and therefore the petitioner gave a representation to the 3rd respondent on 31.03.2016 offering to pay the balance amount and close the account. Neither the account was closed after receiving the money from the petitioner nor any reply was sent by the respondent. Therefore, the petitioner has approached this Court seeking writ of mandamus directing the 3rd respondent to receive the balance amount of Rs.42,000/- payable by him.

2. Heard Mr.M.Senthamizh Selvan, learned counsel appearing for the petitioner and Mrs.T.P.Savitha, learned Government Advocate, appearing for the respondents.

3. There is no dispute with regard to availing of loan by the petitioner from the 3rd respondent on 16.06.2011. The communication dated 25.02.2016 issued by the 3rd respondent would also denote that a sum of Rs.6,000/- per month was regularly deducted from the salary of the petitioner towards the loan amount. According to the petitioner, so far, he had paid a sum of Rs.2,58,000/- and only a sum of Rs.42,000/- is payable by him to the 3rd respondent.

4. Mrs.T.P.Savitha, learned Government Advocate appearing for the respondents would submit that the petitioner refused to pay the interest amount and therefore the account could not be settled.

5. Taking into consideration, the payment made by the petitioner earlier and offer made by him and also considering the submission of the learned Government Advocate that interest has not been paid by the petitioner, it is appropriate to direct the 3rd respondent to conclude the amount due under the loan received by the petitioner and to take into consideration the amount already paid and to close the account, if there is no amount due by the petitioner. If any other amount is due by the petitioner other than Rs.42,000/-, which is being offered by the petitioner, the 3rd respondent is directed to give the details to the petitioner to enable him make the payment.

6. In the above manner, the 3rd respondent is directed to consider the representation of the petitioner dated 31.03.2016 and pass appropriate orders, in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

rgr

To

1. The Registrar,
Registrar Office,
Co-operative Societies Employer Thrift
and Credit Society (Ega Theatre Opp.)
Chennai - 600 010.

2. The Deputy Registrar,
Co-operative Societies Employer Thrift
and Credit Society
Tiruvarur District.

3. The Secretary,
Tamil Nadu Electrical Board,
Co-operative Societies Employer Thrift
and Credit Society
Tiruvarur District.

1 cc to M/s.R.J.Yoga Anandhi, Advocate, sr.31715
1 cc to The Government Pleader, sr.31967

सत्यमेव जयते

W.P. No.19722 of 2016

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