

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.05.2016

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

AND

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.A.No.638 of 2016 & CMP.No.8310 of 2016

The President,
Sri Thirumagal Power-Loom Weavers
Co-operative production EH-223,
Marappalam,
Erode ... Appellant / 3rd Respondent.

Vs.

1. V.K.Palanisamy
2. The Director,
Handloom and Textiles,
Kuralagam,
Chennai - 108.
3. The Assistant Director,
Handloom and Textiles,
No.426, Bhavani Main Road,
Erode, Erode District. ..Respondents/Petitioners 1 & 2
and Respondents.

Prayer:- Writ Appeal filed under clause 15 of the Letters Patent to set aside the order of this Court in W.P.No.13609 of 2016 dated 28.04.2016.

W.P.No.13609 of 2016 : filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to disburse coolly to the old members of the 3rd respondent society to the tune of Rs.44.53 Lakhs including the petitioner herein.

For Petitioner : Mr.C.Munnusamy
for
L.P.Shanmugasundaram

For Respondents : Mr. C. Prakasam,
for R1

JUDGMENT

(Delivered by Mr.JUSTICE K.KALYANASUNDARAM)

This Writ Appeal has been filed challenging the order of this Court in W.P.No.13609 of 2016 dated 28.04.2016.

2. The learned counsel for the appellant would submit that the writ petitioner is entitled for a sum of Rs.3,53,540/- being a member of the third respondent society. However, he filed the writ petition seeking the alleged arrears of amount in respect of other members, those who have not furnished any details to the appellant. According to the appellant, if necessary details are furnished, the appellant is ready to disburse the amount after verifying the genuineness.

3. Heard Mr.C.Munnusamy, learned counsel appearing for the petitioner and Mr.Prakasam, learned counsel appearing for the first respondent.

4. Mr.C.Prakasam, learned counsel appearing for the first respondent has also agreed for receiving the said sum of Rs.3,53,540/- and ready to submit all the documents to the appellant in respect of the other nine members of the appellant-Society.

5. It is seen from paragraph 6 of the impugned order dated 28.04.2016 that this Court has directed the appellant to settle a sum of Rs.3,53,540/- to the first respondent / writ petitioner on or before 13.05.2016.

6. The learned counsel for the appellant would submit that the appellant would pay the amount to the first respondent within a period of four weeks.

7. Considering the above submissions, this Court directs the appellant-Society to pay a sum of Rs.3,53,540/- to the first respondent herein / writ petitioner on or before 18.06.2016 and with regard to the arrears in respect of the remaining nine members of the appellant-Society, we direct them to furnish their particulars to the appellant-Society within two weeks from the date of receipt of the order and on such receipt, the appellant-Society shall consider the same and disburse the due amount to the members of the appellant-Society within period of eight weeks from the date of receipt of a copy of this order, if their claim is genuine.

8. The Writ Appeal is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst. Registrar

/true copy/

Sub Asst. Registrar.

mrp/tar/rns

To

- 1.The Director,
Handloom and Textiles,
Kuralagam, Chennai-108.
- 2.The Assistant Director,
Handloom and Textiles,
No.426, Bhavani Main Road,
Erode, Erode District.
3. The President,
Sri Thirumal Power Loom Weavers Co-operative Production
Marappalayam, Erode.

+ 1 CC to Mr.L.P.Shanmugasundaram, Advocate SR NO 28407

W.A.No.638 of 2016 &
C.M.P.No.8310 of 2016

EV[co]
gp/25.5

सत्यमेव जयते

WEB COPY