

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.2465 of 2017

S.Solomon Raj .. Petitioner

-vs-

1. The President
Tamil Nadu Secretariat Staff
Co-operative Housing Society Limited
No.105, Secretariat Colony
Okkiam Thoraipakkam
Chennai 600 097
2. The Deputy Registrar of Co-operative
Societies (Housing/Magistrate)
Chennai Region
Chennai 600 004 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to allot a housing plot in "Okkiam Thoraipakkam Scheme" to the petitioner from among the cancelled plots as found in the orders passed by the second respondent for reallocation in Ref.No.1/2015 dated 03.02.2016 and as requested in his representation dated 09.03.2016.

For Petitioner :: Mr.S.Arunachalam for
M/s S.Arunachalam Associates

For Respondents :: Mr.V.Selvaraj
Addl. Government Pleader (Co-op.)

ORDER

This writ petition has been filed by Mr.S.Solomon Raj seeking issuance of a writ of mandamus, directing the President, Tamil Nadu Secretariat Staff Co-operative Housing Society Limited, the first respondent herein to allot a housing plot under the "Okkiam Thoraipakkam Scheme" to him from among the cancelled plots as found in the orders passed by the second respondent for re-allotment in Ref.No.1/2015 dated 03.02.2016, as requested in his representation dated 09.03.2016.

2. The request of the petitioner is highly untenable for the following reasons. When the petitioner was appointed as an

Assistant in the Tamil Nadu Secretariat Service, after serving in the promotional post of Additional Secretary to Government, he retired from service on reaching the age of superannuation on 31.12.2010. The petitioner is said to have become a member in the Tamil Nadu Secretariat Staff Co-operative Housing Society Limited, which is functioning to render service to its members and he also applied for allotment of a plot under the "Okkiam Thoraipakkam Scheme" with Application No.1493. But he was not allotted a plot. Therefore he made a representation after his retirement. It was stated that there were some irregularities in the previous allotment of plots. Hence the Deputy Registrar (Housing) cancelled the irregular allotments under the category of public purpose plots and ordered re-allotment to the eligible members on 3.2.2016. Thereafter, the petitioner also sent a representation on 9.3.2016 to the President of the Tamil Nadu Secretariat Staff Co-operative Housing Society Limited followed by an Advocate notice on 17.8.2016. But there was no response. Hence the petitioner has come to this Court.

3. When the petitioner was a member in the Tamil Nadu Secretariat Staff Co-operative Housing Society Limited, after his retirement from service on 31.12.2010, he cannot continue to enjoy the same privilege. Therefore, this Court is not inclined to entertain the writ petition. Accordingly, the writ petition fails and it is dismissed. No costs.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

1. The President
Tamil Nadu Secretariat Staff
Co-operative Housing Society Limited
No.105, Secretariat Colony
Okkiam Thoraipakkam
Chennai 600 097

2. The Deputy Registrar of Co-operative
Societies (Housing/Magistrate)
Chennai Region
Chennai 600 004

+1 cc to M/s.S.Arunachalam, advocate,sr.7115

+1 cc to Govt.Pleader,sr.6943.

rk(co)
krd 27/2

W.P.No.2465 of 2017