

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 35635 of 2016

R.Manoharan

Petitioner

..Vs..

1.The Registrar of Co-operative Societies (Housing)
Tamil Nadu Housing Board Building,
No.493,Anna Salai, Nandanam,
Chennai - 35.

2.The Managing Director,
Tamil Nadu Housing Federation,
No.48, Rithasan Road,
Veppery, Chennai - 7.

3.The Deputy Registrar of Co-operative
Societies (Housing),
Fair Lands, Salem-16.

4.K.K.128, Mettur Industrial Employees,
Co-operative Industrial Housing Society Ltd,
Rep.by its Secretary,
Pudhusampalli, Ramnagar Post,
Mettur Dam-3.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to return the original document No.256/2001 the deed of conveyance in my favour in S.No.47/1F1 measuring 1677sq.ft, Kolathur Village, Mettur Taluk, Salem District.

For Petitioner: Mr.M.S.Palaniswamy
For R1 &R3 : Mr.L.P.Shanmugasundaram,Spl.GP
For R2 : Mr.S.Kanmani Annamalai,
Standing counsel for Federation
For R4 :Mrs.T.Girija,GA

O R D E R

The petitioner, in this writ petition, seeks for issuance of a Writ of Mandamus, directing the respondents to return the original document No.256/2001, the deed of conveyance in petitioner's favour in S.No.47/1F1 measuring 1677 sq.ft, Kolathur Village, Mettur Taluk, Salem District

2. The learned counsel for the petitioner has submitted that the petitioner's loan amount has been settled and the said amount was sent to the second respondent. The second respondent credited the said amount as overdue in the account of the fourth respondent. The fourth respondent admitted that there is a mistake on the part of the fourth respondent in returning the documents to the petitioner and above said mistake has occurred only due to him. The mistake occurred due to the mistake of the creditors of the fourth respondent-Society. Therefore, the said document could not be furnished to the petitioner.

3. The learned counsel for the petitioner would submit that the said document has been returned by the fourth respondent-Society, and hence, this petitioner would not prosecute the present Writ Petition.

4. The Secretary of the fourth respondent-Society is also present in this Court and the learned counsel for the fourth respondent undertakes before this Court that the loan amount had been discharged and therefore, they would return the title document deposited before them, to the petitioner immediately.

5. In the light of the above submissions made by the learned counsel for the parties, this Writ Petition is disposed of and the fourth respondent-Society is directed to return the document to the petitioner within a period of one week from today. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Registrar of Co-operative Societies (Housing)
Tamil Nadu Housing Board Building,
No.493,Anna Salai, Nandanam,
Chennai - 35.

2.The Managing Director,
Tamil Nadu Housing Federation,
No.48, Rithasan Road,
Veppery, Chennai - 7.

3.The Deputy Registrar of Co-operative
Societies (Housing),
Fair Lands, Salem-16.

4.The Secretary,
K.K.128, Mettur Industrial Employees,
Co-operative Industrial Housing Society Ltd,
Rep.by its Secretary,
Pudhusampalli, Ramnagar Post,
Mettur Dam-3.

+1cc to Ms.S.Kanmani, Advocate, S.R.No.19724

W.P. No. 35635 of 2016

SKV(CO)
RS(21/06/2017)

सत्यमेव जयते

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