

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 25.04.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No. 9216 of 2018****WEB COPY**

V.K.Akbar Ali

... Petitioner

vs.

1. The Registrar of Co-operative Societies (Housing)
Tamil Nadu Housing Board Building
No.493, Anna Salai
Nandhanam, Chennai-35
2. The Deputy Registrar of Co-operative Societies (Housing)
Madurai Region
1st Street, K.K.Nagar
Madurai-625 020
3. MDA/HSG-139, Madurai Surya Nagar
Cooperative Housing Society
rep.by its President
No.12, Lourdhu Nagar
7th Cross Street, K.Pudur
Madurai-625 007
4. The Liquidator / Sub Registrar
of Cooperative Societies (Housing)
O/o.The Deputy Registrar of Cooperative Societies (Housing)
Madurai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to dispose the petitioner's appeal dated 04.11.2016 under Section 152(2) of Tamil Nadu Cooperative Societies Act within a stipulated time.

For Petitioner : Mr.R.Subramanian

For Respondents: Mr.N.Shanmugaselvam

Additional Government Pleader

ORDER

Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes notice for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.



3. It is the grievance of the petitioner that his appeal dated 04.11.2016 preferred under Section 152(2) of Tamil Nadu Cooperative Societies Act, has not been disposed by the first respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the appeal preferred by the petitioner. It is needless to point out that whenever an appeal of this nature is preferred, the respondents are duty bound to dispose the same in one way or the other. Non-disposal of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to dispose the petitioner's appeal within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to dispose the petitioner's appeal dated 04.11.2016 on its own merits, within a period of three months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar

To:

1. The Registrar of Co-operative Societies (Housing),
Tamil Nadu Housing Board Building,
No.493, Anna Salai,
Nandhanam, Chennai-35.
2. The Deputy Registrar of Co-operative Societies (Housing),
Madurai Region,
1st Street, K.K.Nagar,
Madurai-625 020.
3. The President,
MDA/HSG-139, Madurai Surya Nagar
Cooperative Housing Society,
No.12, Lourdhu Nagar,
1st Cross Street, K.Pudur,
Madurai-625 007.



4. The Liquidator / Sub Registrar
of Cooperative Societies (Housing),
O/o. The Deputy Registrar of Cooperative,
Societies (Housing), Madurai.

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+1cc to Mr.R.Subramanian, Advocate Sr.No.63387

KRK

VB/SV/MMS/SAR2/15/05/2018/3P/6C

W.P. (MD) No.9216 of 2018
25.04.2018