



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2018

CORAM:

WEB COPY

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P. (MD) No.6593 of 2018

Mr.C.Raja

... Petitioner

Vs.

1.The Registrar of Co-operative Societies (Housing)
O/o.Tamil Nadu Co-operative Housing Federation,
No.40, Ritherdon Salai, Veppery,
Chennai-600 007.

2.The Regional Deputy Registrar of Co-op.
Societies (Housing)
No.13/107, Ramalinga Adigalar Arakkattalai Building,
Daniel Thomas Nagar,
Thanjavur-613 007.

3.The President,
The Kumbakonam Town Co-operative
House Building Society Ltd., Z-127,
No.78, Bakthapuri Street,
Kumbakonam.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to consider the petitioner's representation dated 29.01.2018 and to execute the Sale deed by the third respondent pertaining to the Plot No.53 in Dr.M.G.R., Nagar, Muganthanur Village, Annal Agraharam Panchayat, Kumbakonam Taluk, Thanjavur District in favour of this petitioner.

For Petitioner : Mr.M.Aravind Subramanian
For Respondents : Mrs.J.Padmavathi Devi
Special Government Pleader

O R D E R

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 29.01.2018 and to execute the Sale deed by the third respondent pertaining to the Plot No.53 in Dr.M.G.R., Nagar, Muganthanur Village, Annal Agraharam Panchayat, Kumbakonam Taluk, Thanjavur District in favour of the petitioner.

2.According to the petitioner, the third respondent allotted a house site in the year 2015 to the petitioner and as per the order



of allotment, the sale consideration has to be paid in two installments, and in the year 2015, the petitioner paid the last installment. After receipt of the sale consideration, so far the respondents have not executed sale deed in favour of the petitioner. Hence the present writ petition has been filed.

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3. Earlier this Court ordered notice to the respondents. Today, on instructions from the third respondent, the learned Special Government Pleader submitted that the petitioner has already paid the sale consideration to the third respondent and thereafter, a proposal was sent to the first respondent for getting concurrence to execute sale deed in favour of the petitioner. Once the concurrence is received from the first respondent, the third respondent will execute the sale deed in favour of the petitioner.

4. In view of the submission made by the learned Special Government Pleader for the respondents, the first respondent is directed to consider the proposal sent by the third respondent and pass suitable orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order and after receiving the concurrence from the first respondent, the third respondent is directed to execute the sale deed in favour of the petitioner, subject to the petitioner having paid the entire sale consideration.

5. With the above observations, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Registrar of Co-operative Societies (Housing)
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No.40, Ritherdon Salai, Veppery, Chennai-600 007.

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Societies (Housing) No.13/107, Ramalinga Adigalar Arakkattalai
Building, Daniel Thomas Nagar, Thanjavur-613 007.

3. The President, The Kumbakonam Town Co-operative
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Kumbakonam.

+1CC to Mr.M.Aravind Subramanian, Advocate, SR.No. 59568

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