



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.05.2018

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THE HONOURABLE MR.JUSTICE **A.M.BASHEER AHAMED**

W.P(MD)No.10523 of 2018 and
WMP(MD).No. 9617 of 2018

M.G. Gangadharan

... Petitioner

Vs.

1. The Cooperative Sub Registrar (Housing)
Cum - Arbitrator,
Trichy.

2. The Secretary,
Srirangam Cooperative Housing
Society Limited,
Trichy - 6

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to pass orders on the petitioner's application dated 01.05.2018 and 11.11.2016 within a time frame fixed by this Court.

For Petitioner : Mr.M. Sankaralingam

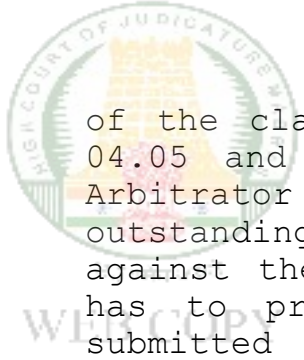
For Respondents : Mr.K. Chellapandian, AAG
Assisted by Mr.V. Anand
Govt. Advocate

O R D E R

This Writ Petition has been filed for issuing a Writ of Mandamus, directing the first respondent to pass orders on the petitioner's applications dated 01.05.2018 and 11.11.2016, within a time stipulated by this Court, in respect of an award dated 03.10.2016.

2. It is admitted that summons were issued for the appearance of the petitioner and lastly, the petitioner was set exparte on 03.10.2016 and Award was passed against the Petitioner in respect of arrears of Housing loan.

3. The learned Additional Advocate General appearing for the first respondent states that sufficient opportunities were given to the petitioner for appearance before the Arbitrator, in respect



of the claim for the balance of loan amount in Dispute No. 832/04.05 and the petitioner failed to appear before the concerned Arbitrator on 03.10.2016 and he was set exparte for the claim of outstanding amount of housing loan. If the petitioner is aggrieved against the said Award passed by the first respondent herein, he has to prefer an appeal in accordance with law. He further submitted that the petitioner, without preferring an appeal, had given a representation for consideration of his claim before the first respondent herein and also for withdrawal of the award which is not sustainable in law.

4. Recording the objection made by the learned Additional Advocate General appearing for the first respondent and the relief sought in this Writ Petition, this Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (W)

/True copy/

Sub Assistant Registrar

To

1. The Cooperative Sub Registrar (Housing)
Cum - Arbitrator,
Trichy.
2. The Secretary,
Srirangam Cooperative Housing Society Limited,
Trichy - 6

+1cc to Mr.R.Subramanian, Advocate, SR.No.65080.

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TRP

RAM/SV MMS/SAR 4/11.05.2018/2P/4C