



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.12092 of 2018

G.Parthiban

... Petitioner

vs.

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

2. The Regional Deputy Registrar of
Co-Operative Societies(Housing)
No.13/107, Ramalinga Adigalar Arakattalai 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,
Kumabakonam.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 24.03.2018 and to execute the sale deed by the third respondent pertaining to Plot No.28 in Dr.M.G.R.Nagar, Mugusnthanur Village, Annal Agraharam Panchayat, Kumbakonam Taluk, Thanjavur District in favour of this petitioner.

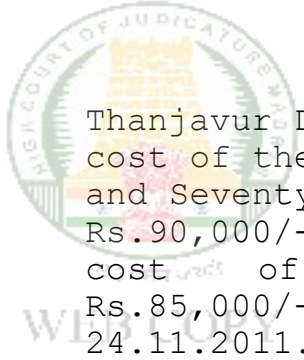
For Petitioner	: Mr.M.Arvind Subramaniam
For Respondents	: Mr.V.Anand
No.1 and 2	Government Advocate

O R D E R

Mr.V.Anand learned Government Advocate takes notice for the respondents. Notice to the third respondent is dispensed with in view of the nature of the order passed by this Court.

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

3. The learned counsel appearing for the petitioner submits that the property in respect of plot no.28 in Dr.M.G.R. Nagar, Mugusnthanur Village, Annal Agraharam Panchayat, Kumbakonam Taluk,



Thanjavur District was allotted in favour of the petitioner and the cost of the site was fixed at Rs.1,75,000/- (Rupees One lakh and Seventy Five thousand only) and the petitioner had paid a sum of Rs.90,000/- (Rupees Ninety thousand only) on 30.03.2007 towards the cost of the site and the balance amount of Rs.85,000/- (Rupees Eighty Five thousand only) was also paid on 24.11.2011. In spite of the same, the second respondent herein had not executed the sale deed in his favour. In this connection the petitioner has also given a representation dated 24.03.2018 to the respondents seeking for registration of the sale deed in his favour and since the representation has not been considered till date, the present writ petition has been filed.

4. The learned Government Advocate appearing for the respondents 1 and 2 submitted that if specific direction is given to consider the representation, then the same would be complied with after ascertaining as to whether any further dues are pending from the petitioner herein.

5. It is needless to point out whenever a representation of this nature is made, the respondents are duty bound to pass appropriate order and taking action instead of keeping representation pending indefinitely.

6. In view of the limited prayer sought for in this writ petition, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 24.03.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this Order. In case if the third respondent is of the view that the entire sale consideration has been paid and all other terms have also been complied with, the third respondent shall execute the sale deed in favour of the petitioner within a period of three weeks therefrom.

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

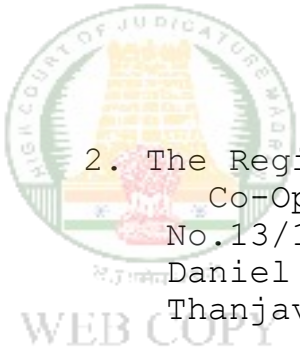
Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Registrar of Co- Operative Societies (Housing)
O/o. Tamil Nadu Co-Operative Housing Federation
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Chennai - 600 007.



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+1cc to M/S.M.Arvind Subramaniam, Advocate SR.No. 67235

W.P.(MD) No.12092 of 2018

aav

JM/SV MMS/SAR 2/20.06.2018/3P/4C