

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 26.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ**W.P (MD) No.13529 of 2018**

K.Kasirajan

... Petitioner

Vs.

1. The Deputy Registrar of Co-operative Societies,
Srivilliputtur,
Virudhunagar District.

2. The Branch Manager,
R.K.10.Virudhunagar District Central Co-operative
Bank Ltd.,
Srivilliputtur,
Virudhunagar District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus to direct the first respondent to dispose of the unnumbered Arbitration Proceedings initiated against the petitioner in which order of Conditional Attachment was passed in C.E.P.No.586/2005-06, dated 07.10.2005, by the first respondent attaching the house of the petitioner, within a reasonable time.

For Petitioner : Mr.S.Karthikeyan

For Respondents : Mr.N.Shanmuga Selvam
Additional Government Pleader

ORDER

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

2. By consent, the writ petition is taken up for final disposal.

3. The petitioner is a retired employee of a Co-operative Society. After his retirement, conditional attachment has been made. The respondents, after passing the conditional attachment order in C.E.P.No.586/2005-06, dated 07.10.2005, have attached the



house property of the petitioner. However, further action in respect of the proceedings were not taken by the respondents till date. Hence, the petitioner is put to mental harassment and hardship due to the pendency of the proceedings for the past 13 years.

WEB COPY

4. The learned Additional Government Pleader appearing for the respondents would submit that orders will be passed very shortly.

5. I have considered the rival contentions.

6. On a mere perusal of the proceedings, it is very clear that attachment order was passed as early as in 2005, but the respondents have not completed the same within a reasonable time. Keeping it pending for 13 years will definitely cause mental torture and other civil consequences on the petitioner.

7. Considering the facts and circumstances of the case, a direction is issued to the first respondent to look into the proceedings in C.E.P.No.586/2005-06, dated 07.10.2005 and pass orders on merits after enquiry and after affording personal hearing to the petitioner, within a period of three months from the date of receipt of a copy of this order.

8. Accordingly, this writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Registrar of Co-operative Societies,
Srivilliputtur,
Virudhunagar District.

2. The Branch Manager,
R.K.10.Virudhunagar District Central Co-operative
Bank Ltd., Srivilliputtur,
Virudhunagar District.

+ 1 cc TO Mr.S.Karthikeyan , Advocate in SR No. 70229

rsb

AE/RSK/SAR1/10.07.2018/2P/4C