



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P. (MD)No.19770 of 2019

M.Muthukaruppan

... Petitioner

/Vs./

1.The General Manager,
TamilNadu Co-operative Housing Finance,
48, Rithardon Salai,
Vepari, Chennai - 7.

2.The Secretary,
A.2848, L.I.C.Staffs and General Services
Co-operative Housing Society Limited,
9B, Nehru Road,
S.S.Colony,
Madurai.

... Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 2nd respondent to consider the representation made by petitioner dated 09.11.2018 and permit the petitioner foreclosing the loan account by paying the principal amount under one time settlement scheme within stipulated period as fixed by this Court.

For Petitioner : Mr.S.Sivanesan
for Mr.A.G.Senthilkumar

For R-1 : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

Subject matter of instant writ petition pertains to a plea for foreclosure of loan by availing 'One Time Settlement' [hereinafter referred to as 'OTS' for the sake of brevity].

2. Pursuant to writ petitioner's request in this regard, the first respondent has passed an order dated 15.11.2018 bearing reference No.Na.Ka.No.3391/2016-17/Ka.Pa.Pirivu, wherein the amount to be paid by writ petitioner and rebate of interest which he will be entitled to have quantified and set out.



3. After some arguments, learned counsel for writ petitioner sought permission to withdraw the writ petition, but made a plea to preserve the writ petitioner's rights to challenge the aforementioned order made by the first respondent.

4. Learned counsel has made an endorsement in the case file, which reads as follows:

"I may permit withdraw writ petition and permit challenge the 1st respondent order."

5. Endorsement is reiterated.

6. Writ petitioner is permitted to withdraw preserving the rights of the writ petitioner to assail order dated 15.11.2018 bearing reference No.Na.Ka.No.3391/2016-17/Ka.Pa.Pirivu, made by the first respondent.

7. In the light of the endorsement and reiteration of the same, instant Writ Petition is dismissed as withdrawn albeit preserving the rights of the writ petitioner in the aforesaid manner. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

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To
The General Manager,
TamilNadu Co-operative Housing Finance,
48, Rithardon Salai,
Vepari, Chennai - 7.

+1 CC to M/s.SPL GP (SR-87247[F] dated 17/09/2019)

Order made in
W.P. (MD) No.19770 of 2019
Dated: 16.09.2019

JMN(27.09.2019) 2P : 3C