



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

WP(MD).No. 20866 of 2019

WEB COPY

K. Jayalakshmi

: Petitioner

Vs.

1. The Deputy Director,
Regional Co-operative,
Housing Society of Madurai,
Deputy Registrar Office,
15A, Main Road,
K.K.Nagar, Madurai.

2.The Secretary,
MDA/HSG, 28 Madurai Salai,
Alagupuram, Nesavalargal and
Pothupaniyalargal Cooperative Society
V.M. Wet Grinder Building First Floor,
3, Thiruparakundram Salai,
Andalpuram,
Madurai - 600 003.

3. The President,
MDA/HSG, 28 Madurai Salai,
Alagupuram, Nesavalargal and
Pothupaniyalargal Cooperative Society
V. M. Wet Grinder Building First Floor,
3, Thiruparakundram Salai,
Andalpuram,
Madurai - 600 003.

: Respondents

Prayer: This Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the first respondent to consider orders and pass on the application dated 04.12.2017 submitted by the petitioner and followed by her reminder dated 25.07.2019, in accordance with law, within a time frame as may be fixed by this Court.

For Petitioner

: Mr. A. Balaji

For R1

: Mrs.J. Padmavathy Devi
Special Government Pleader

For R2 and R3

: Mr.K.Mu. Muthu



O R D E R

This Writ Petition has been filed for issuing a direction to the first respondent to consider and pass orders on the application submitted by the petitioner, dated 04.12.2017 and followed by her reminder, dated 25.07.2019, within a time frame to be fixed by this Court.

2. The petitioner's husband secured a sum of Rs.1,25,000/- as housing loan from the respondents 2 and 3. Subsequently, her husband expired on 13.01.2011. Thereafter, the petitioner repaid the housing loan of Rs.10,000/-, on 13.07.2017 and the insurance amount of Rs.8,750/-. In the meanwhile, the Department of Housing and Urban Development issued a G.O.Ms.No.40, dated 16.03.2015, wherein, concession is given to the defaulters for waiver of interest for settling the entire loan amount. Now, the petitioner seeks to avail the benefit given under G.O.Ms.No.40, dated 16.03.2015. Therefore, she has made a representation in this regard on 04.12.2017, followed by the remainder dated 25.07.2019. But, the same have not been considered by the respondents, so far. In such circumstances, the petitioner has filed the present Writ Petition before this Court.

3. Mrs. J. Padmavathi, learned Special Government Pleader took notice for the respondents. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

4. Considering the facts and circumstances of the case, a Direction is given to the first respondent to consider the application of the petitioner, dated 04.12.2017 in the light of G.O.Ms.No.40, dated 16.03.2015 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, preferably within a period of 10 weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

trp

<https://hcservices.ecourts.gov.in/hcservices/>



To

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Housing Society of Madurai,
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+1 CC to M/s.A.BALAJI, Advocate (SR-89971[F] dated 27/09/2019)

+1 CC to M/s.SPL GP (SR-90548[F] dated 30/09/2019)

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27.09.2019

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