

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.9381 of 2018

Ananthi

... Petitioner

-Vs-

1.The Assistant Director,
Handloom & Textile Department,
Bhavani Main Road,
Erode.

2.The Managing Director,
The Vellode Anna Weavers Co-operative
Production & Sales Society Limited,
House EH-53,
V.Vellode, Erode District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to issue Sale Deed in favour of the petitioner for the purpose of registration of house bearing No.954, Situated at 1010 Weavers Colony, Mugasi Pidariyur Village, Perunthurai Taluk, Erode District, which was allotted to the petitioner by the Vellode Anna Weavers Co-operative Production & Sales Society Limited, by considering the representation dated 08.01.2018.

For Petitioner : M/s.S.Senthil

For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader

O R D E R

This writ petition has been filed seeking issuance of writ of mandamus directing the respondents to issue sale deed in favour of the petitioner.

2. The case of the petitioner is that originally Housing Plot No.954 was allotted in favour of one Chinnusamy, who was a member of the Society. The said Chinnusamy had deposited various amounts. After some time, he was unable to continue to pay the

installments and the interests towards the plot allotted in his favour. Further the case of the petitioner is that the said Chinnusamy wanted the allotment to be cancelled and the same was also accepted by the Society. The petitioner claims that the same was put up in the notice Board of the Society and applications were invited for allotment of the Housing Plot from the members who are interested in payment of a total sum of Rs.53,237.40/-. Petitioner is also a member of the society and she gave an application requesting the Society to allot the said property in her favour by expressing her willingness to pay the above said amount.

3. The further case of the petitioner is that she has paid all the amounts and she is also in possession and enjoyment of the property. The grievance of the petitioner is that the sale deed has not been executed in her favour. She made a representation on 08.01.2018 in this regard and since the same did not evoke any response, the present writ petition has been filed before this Court.

4. Heard Mr.S.Senthi, learned counsel for the petitioners and Mr.L.P.Shanmugasundaram, learned Special Government Pleader for the respondents.

5. Taking into consideration, the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the first respondent to consider the representation made by the petitioner on 08.01.2018 and take a decision on its own merits and in accordance with law and after hearing Chinnusamy and after getting necessary particulars from the second respondent / Society, pass orders within a period of six weeks from the date of receipt of copy of this order.

6. The petitioner is directed to make a fresh representation to the first respondent along with the copy of the representation dated 08.01.2018 and copy of this order.

7. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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Pns

To

1.The Assistant Director,
Handloom & Textile Department,
Bhavani Main Road,
Erode.

2.The Managing Director,
The Vellore Anna Weavers Co-operative
Production & Sales Society Limited,
House EH-53,

+1 cc to Mr.L.P.Shanmugasundaram, Advocate Sr.No. 24170

+1 cc to The Government Pleader, Sr.No. 24063

W.P.No.9381 of 2018

SSI (CO)

RMP (23/07/2020)



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