



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.02.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.19163 of 2015

B.Sekar

... Petitioner

Vs.

The President,
Srirangam Cooperative
Building Society Ltd., R839
82-A, Mandapam Road,
Srirengam,
Trichy.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent Society to consider the petitioner's representation dated 25.09.2015 and to register the document in House Plot No.1, Kamaraj Nagar, Thiruvanaikovil, Trichy.

For Petitioner : Mr.C.Vakeeswaran

For Respondent : Mrs.J.Padmavathi Devi,
Special Government Pleader

O R D E R

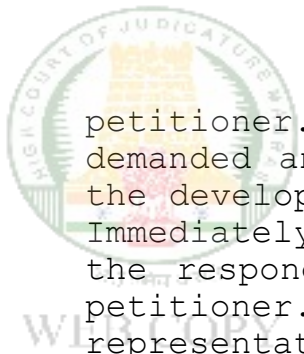
Mrs.J.Padmavathi Devi, learned Special Government Pleader takes notice on behalf of the respondent.

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

3. The writ petition has been filed by the petitioner praying for issuance of a Writ of Mandamus, directing the respondent Society to consider the petitioner's representation dated 25.09.2015 and to register the document in House Plot No.1, Kamaraj Nagar, Thiruvanaikovil, Trichy.

4. The case of the petitioner is that, the petitioner's father died on 02.04.1987 and his mother died on 30.07.2012. On 09.01.1986, before the death of the petitioner's father, he had executed a Will in favour of the petitioner and other two brothers of the petitioner in respect of the property allotted by the respondent Society and it was also specifically mentioned that the sisters of the petitioner do not have any right in the properties mentioned in the Will.

5. On 01.09.1999, a family settlement deed was made before the elders of the family and villagers and as a result of the same, the property allotted by the respondent Society was given to the



petitioner. On 01.11.2012 and 02.11.2012, the respondent Society had demanded an additional amount of Rs.2,27,000/- and Rs.20,000/- for the development charges which was claimed by the Trichy Corporation. Immediately, the petitioner had also paid the same. But till date, the respondent Corporation has not registered the document to the petitioner. On 25.09.2015, the petitioner has made a detailed representation to the respondent Society. Till date, the respondent has not considered the representation of the petitioner and therefore, the petitioner has approached this Court by way of filing the present writ petition.

5. In view of the above, without expressing any opinion on the merits of the claim made by the petitioner, the respondent is directed to consider the representation of the petitioner dated 25.09.2015 and pass appropriate orders on the same, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (P AND A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sts

To:

The President,
Srirangam Cooperative Building Society Ltd., R839
82-A, Mandapam Road,
Srirengam,
Trichy.

+1 CC to M/s.C.VAKEESWARAN, Advocate (SR-6878[F] dated 18/02/2020)

Order made in
W.P(MD)No.19163 of 2015

Dated:
18.02.2020

KK/09.03.2020/ 2P- 3C