



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.7544 of 2021

M.Lakshminarayanan .. Petitioner

-Vs-

1.The Registrar of Co-operatives (Housing)
No.48, Ritherdon Road
Vepery, Chennai 600 007.

2.The Special Officer
The Madras State NGO's Cooperative
Housing Society Ltd., Reg.No.430
Under the Control of the Deputy Registrar
of Cooperative Societies (Housing)
No.28, Ramanathan Street
T.Nagar, Chennai 600 017. .. Respondents

Writ Petition under Article 226 of the Constitution of India
praying for the issuance of a Writ of Mandamus directing the 2nd
respondent to execute and cause registration of the sale deed in
favour of the petitioner in respect of Plot No.50 in Officers
Colony, Mehtha Nagar, Chennai 600 029 within a stipulated time.

For Petitioner : Mr.M.Rajaraman

For Respondents : Mr.U.Baranidharan,
Government Advocate

O R D E R

This writ petition has been filed for the issue of a writ
of Mandamus directing the second respondent to register the sale
deed in favour of the petitioner in respect of Plot No.50 in



Officers Colony, Mehtha Nagar, Chennai 600 029 within the time stipulated by this Court.

2. When the matter was taken up for hearing on 02.08.2021, this Court passed the following order.

" The grievance of the petitioner is that the second respondent Society has not executed the sale deed in favour of the petitioner inspite of the petitioner paying the entire consideration.

2. It is brought to the notice of this Court that the second respondent Society is now under the control of a Special Officer.

3. Learned Government Advocate appearing on behalf of the respondents shall take instructions and report before this Court.

4. Post this case under the caption "For Orders" on 09.08.2021.

3. The learned Government Counsel appearing on behalf of the respondents circulated the written instructions received from the respondents, which shows that the Society was liquidated through proceedings dated 17.05.2010 and it is now under the control of the Special Officer. The learned counsel further submitted that, due to floods during the year 2015, the records relating to the Society was transferred to a safer place and presently the second respondent is in the process of identifying the records and thereafter the request made by the petitioner will be considered.

4. The learned counsel for the petitioner submitted that the petitioner is in possession of all the original documents and the same will be produced before the second respondent and the second respondent can act upon the same and execute the sale deed in favour of the petitioner.

5. Taking into consideration the facts and circumstances of the case and also of the fact that the petitioner has been making the request for execution of the sale deed in his favour for long number of years and the petitioner is presently aged



about 70 years, this Court is inclined to direct the petitioner to produce all the original documents before the respondents. The respondents shall consider the same and if the petitioner has fulfilled all the requirements, shall execute the sale deed in favour of the petitioner. The petitioner shall make a representation in this regard to the second respondent along with a copy of this order.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-IX)

// True Copy //

Sub Assistant Registrar

KST

To

1.The Registrar of Co-operatives (Housing)
No.48, Ritherdon Road
Vepery, Chennai 600 007.

2.The Special Officer
The Madras State NGO's Cooperative
Housing Society Ltd., Reg.No.430
Under the Control of the Deputy Registrar
of Cooperative Societies (Housing)
No.28, Ramanathan Street
T.Nagar, Chennai 600 017.

+1CC to Mr.M.Rajaraman, Advocate, SR.No. 39580
+1CC to The Government Pleader, SR.No. 39408

W.P.No.7544 of 2021

NRL(CO)
B.VC (26/08/2021)