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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.08.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.15885 of 2021 &
W.M.P.No.16785 of 2021

Haseena Begum

...Petitioner

Vs

1. The Registrar of Co-operative Societies,
NO. 170 NV Natarajan Maligai,
Periyar EVR High Road, Kilpauk, Chennai - 600010.

2 The Joint Registrar of Cooperative Societies,
Kancheepuram Region
Kancheepuram, Kancheepuram District.

3 The Commissioner,
Kunrathur Panchayat Union, at Padappai
Kunrathur, Kancheepuram District.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the 1st respondent to issue suitable instruction to the 2nd respondent not to prevent the construction of building for G. 873 Ayyappanthangal Urban Co-operative Credit Society Ltd., Mount Trunk Road Ayyappanthangal Chennai - 600 056.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.A.Selvendran,
Government Advocate for
R1 and R2

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the 2nd respondent not to prevent the construction of the building for which the society has already been accorded permission through proceedings dated 16.10.2020.

2. When the matter was came up for hearing on 09.08.2021, this Court passed the following order :-



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It is seen from records that through proceedings dated 16.10.2020, the society has been permitted to put up the construction of the building. However, there was an oral instructions not to proceed further with the construction and therefore, the present writ petition has been filed before this Court.

Mr.Selvendiran, learned Government Advocate seeks time to take instructions. Post this case under the caption for orders on 12.08.2021.

3. When the matter was taken up for hearing today, the learned Government counsel appearing on behalf of the respondents submitted that there was a delay in the construction of the building and the same was questioned. It has been made clear through written instructions that the 2nd respondent has not issued any instructions to stop the construction being put up by the society.

4. In view of the specific stand taken by the 2nd respondent through written instructions, it is made clear that the petitioner can proceed further with the construction of the building and it will not be prevented by the 2nd respondent in any manner. The apprehension raised by the petitioner is answered accordingly. This writ petition is disposed of No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rka

To

1. The Registrar of Co-operative Societies,
NO. 170 NV Natarajan Maligai,
Periyar EVR High Road, Kilpauk, Chennai - 600010.
- 2 The Joint Registrar of Cooperative Societies,
Kancheepuram Region
Kancheepuram, Kancheepuram District.
- 3 The Commissioner,
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+1 CC to The Government Pleader, Sr.No. 40359.

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SPD (CO)
LS (14/09/2021)