



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD)No.15596 of 2020

B.Kasiammal

... Petitioner

Vs.

1.The Registrar of Co-operative Societies (Housing),
48, Rithatran Road, Veppari, Chennai - 600 007.

2.The Regional Deputy Registrar (Housing),
Virudhunagar Region,
Virudhunagar District.

3.A-1321, Karaikudi Co-operative House Building Society,
Rep. by its President,
No.28, Church 6th Street,
T.T.Nagar, Karaikudi,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents No.2 & 3 to implement the order passed by the 1st respondent made in Na.Ka.No.5128/2015/AA.1 dated 29.07.2015 and thereby execute a sale deed in favour of the petitioner in respect of Plot No.694 measuring an extent of 4453 Sq. Ft. in T.S.No.1339 Part, Survey Ward No.3, situated at Soondamanipuram, Karaikudi, Sivagangai District within a time stipulated by this Court.

For Petitioner : Mr.M.Sam Eugene Jebakumar

For Respondents : Mr.B.Bhagavathi,
Government Advocate for R1 & R2

Mr.D.Sadiq Raja for R3

ORDER

Heard the learned counsel on either side.

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2.The writ petitioner is a member of the third respondent society. Her membership is No.5404. She was allotted the petition mentioned plot on 15.12.1993. Thereafter a sale deed was executed in her favour on 16.12.1993. But it was unilaterally cancelled on 15.06.1998. Thereafter, the petitioner moved the third respondent for relief. Even though a resolution was passed in her favour, it was not acted upon. Hence, the petitioner has filed this writ petition for implementing the order passed by the first respondent in her favour.

3.Today when the matter was taken up for hearing, it is submitted by the second respondent in writing that the third respondent is ready to execute the sale deed as sought for by the writ petitioner. Since the respondents have taken a stand in favour of the writ petitioner, there is no impediment for allowing the writ petition as sought for.

4.The writ petition is allowed and the third respondent is directed to execute the sale deed in favour of the petitioner within a period of eight weeks from the date of receipt of a copy of this order and the petitioner has to comply with all other statutory formalities. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Registrar of Co-operative Societies (Housing),
48, Rithatran Road, Veppari,
Chennai - 600 007.

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



2.The Regional Deputy Registrar (Housing),
Virudhunagar Region,
Virudhunagar District.

+1 CC to Mr.D.SADIQ RAJA, Advocate (SR-1298[F] dated 20/01/2021)

+1 CC to SGP (SR-1400[F] dated 20/01/2021)

**W.P(MD)No.15596 of 2020
19.01.2021**

KM (03.02.2021) 3P 5C