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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.13496 of 2022

R.Gurusamy

... Petitioner

Vs

1. The Registrar of Co-operative Society,
Dhossapuram, Chetpet,
Chennai.
2. The Joint Registrar,
All Primary Agricultural Co-operative
Credit Society,
District Collector Office,
Salem-1.
3. The Sub Registrar Co-operative Society,
Primary Agricultural Co-operative
Credity Soecity,
Omalar, Omalar Taluk, Salem District.
4. The Sub Registrar,
Mettur, Salem District.
5. The Secretary,
Primary Agricultural Co-operative Credit Society,
Kannamoochi,
Mettur Taluk,
Salem District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to dispose the appeal filed by the petitioner dated 28.02.2022 on the file of the second respondent and grant such other relief that may deem fit and proper under the circumstances of the case.

For Petitioner : Mr.K.Prabhakaran

For Respondents

For R1, R2 & R4 : Mr.M.Shahjahan
Special Government Pleader



For R3 & R5 : Mr.U.Baranidharan
Additional Government Pleader

ORDER

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Mr.M.Shahjahan, learned Special Government Pleader takes notice on behalf of the first, second and fourth respondents and Mr.U.Baranidharan, learned Additional Government Pleader takes notice on behalf of the third and fifth respondents.

2. Though this writ petition has been filed to direct the second respondent to dispose the appeal filed by the petitioner on 28.02.2022, the second respondent has passed the order on 21.04.2022, which was received by the petitioner on 22.04.2022. The specific case of the petitioner is that the petitioner's father obtained loan from the fifth respondent society and had discharged the same as early as 19.07.2017. However, the documents was not returned to the petitioner's father who died on 19.01.2020.

3. The learned counsel for the petitioner submits that in view of the aforesaid order/communication dated 21.04.2022 of the second respondent bearing Ref.Na.Ka.No.1431/2020VeSeSa.(2), appropriate direction may be issued to the fifth respondent to take steps to return the originals of the title deed which was mortgated with the fifth respondent.

4. Considering the above, this Court directs the fifth respondent to consider and pass appropriate orders and take steps to return the originals of the title deed of the property which was given as a security for the loan obtained by the petitioner's father in the year 2002. This exercise shall be carried out by the fifth respondent within a period of four weeks from the date of receipt of a copy of this order.

5. This Writ Petition stands disposed of in terms of the above observations. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

arb



To

1. The Registrar of Co-operative Society,
Dhossapuram, Chetpet,
Chennai.
2. The Joint Registrar,
All Primary Agricultural Co-operative
Credit Society,
District Collector Office,
Salem-1.
3. The Sub Registrar Co-operative Society,
Primary Agricultural Co-operative
Credity Soecity,
Omalur, Omalur Taluk, Salem District.
4. The Sub Registrar,
Mettur, Salem District.
5. The Secretary,
Primary Agricultural Co-operative Credit Society,
Kannamoochi,
Mettur Taluk,
Salem District.

+1cc to Mr.K.Prabhakaran, Advocate, S.R.No.32372
+1cc to the Government Pleader, S.R.No.33605

W.P.No.13496 of 2022

PL(CO)
CT/16/06/2022