



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.A.NO.1378 OF 2022

P.Vasantharajan

... Appellant/
Petitioner

vs

1. The Registrar of Cooperative Society (Housing)
No.48, Rithdren Road,
Vepery,
Chennai 600 007

2. The Deputy Registrar of Cooperative Societies (Housing)
Chinthamarai Complex,
North Coimbatore,
Coimbatore 641 002

... Respondents/
Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent Act against the order in WP No.26053 of 2021 dated 24.02.2022.

Prayer in WP No.26053 of 2021:

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent dated 13.09.2019 made in Na.Ka.No. 1839-2014 sa.pa(1) and quash the same and consequently direct the respondents to refund the amount of Rs.4,00,000/- together with interest at the rate of 24 percentage per annum from 08.10.2014 which was deposited in pursuance to the interim order passed in MP.No.2 of 2014 in WP.No. 24149 of 2014 dated 08.09.2014.

For the Appellant : Mr.L.P.Shanmugasundaram

For the Respondents : Mr.P.Muthkumar,
State Government Pleader,
assisted by
Mr.K.M.D.Muhelan,
Government Advocate



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JUDGMENT

(Judgment of the Court was delivered by
the Hon'ble Chief Justice)

Learned counsel for the writ appellant prays for withdrawal of the writ appeal with liberty to make an application for refund of the amount in WP No.24149 of 2014 wherein an interim order was passed for the deposit of a sum of Rs.4,00,000/- before the second respondent herein. Pursuant to the said direction, the appellant has deposited the said sum. The writ petition in WP No.24149 of 2014 was finally decided on 19.09.2017. However, no specific direction was given in the order, regarding release of the amount deposited. The writ appellant now seeks permission to move an application in the said petition itself, viz., WP No.24149 of 2014, to get an appropriate order for the release of the amount, from the Writ Court.

2. In view of the above, the writ appeal is dismissed as withdrawn, with liberty as prayed for. There will be no order as to costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

tar

To

1. The Registrar of Cooperative Society (Housing)
No.48, Rithdren Road,
Vepery,
Chennai 600 007.
2. The Deputy Registrar of Cooperative Societies (Housing)
Chinthamarai Complex,
North Coimbatore,
Coimbatore 641 002.

+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.41891

+1cc to the Government Pleader, S.R.No.41430

W.A.No.1378 of 2022

GPL (CO)

PM/07/07/2022