



W.P.No.17388 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.17388 of 2022

B.Mathialagan

... Petitioner

Vs

1.The District Collector,
Nagapattinam District.

2.The Joint Registrar of Co-operative Societies,
District Collector Office,
Nagapattinam District.

3.The Secretary/Principal Officer,
Nagapattinam Urban Co-operative
Credit Society Limited (O.N.3),
Nagapattinam District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first to third respondents herein to return the deposited amount lying in the savings bank account of the petitioner in Account No.749/2002 in Nagapattinam Urban Co-operative Credit Society Limited (O.N.3), Nagapattinam District within a time frame.



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For Petitioner : Mr.P.Dinesh Kumar
For Respondents :
For R1 & R2 : Mr.M.Shahjahan
Special Government Pleader

For R3 : Mr.S.Jayachandran
Government Advocate

ORDER

Mr.M.Shahjahan, learned Special Government Pleader takes notice on behalf of the first and second respondents and Mr.S.Jayachandran, learned Government Advocate takes notice on behalf of the third respondent.

2. This Writ Petition is being disposed of after hearing the learned counsel for the petitioner and the learned Special Government Pleader for the first and second respondents and the learned Government Advocate for the third respondent.

3. The petitioner appears to have maintained a savings bank account with the third respondent Co-operative Society in A.C.No.749/2002.



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4. According to the petitioner, the petitioner had savings deposit for a sum of Rs.4,17,408/-. However, the third respondent Co-operative Society has not allowed the petitioner to encashing of the aforesaid amount stating that the third respondent Co-operative Society is not having enough funds to pay the amount to the petitioner.

5. It is the case of the petitioner that the amounts are required both for educational expenses of his son and for family expenses and that the third respondent Co-operative Society cannot retain the money lying in the credit of the petitioner. The petitioner has given a representation dated 25.10.2021 to the first respondent herein.

6. The petitioner has a genuine case against the third respondent Co-operative Society. Considering the above, the first respondent is directed to pass appropriate orders on the petitioner's representation dated 25.10.2021, within a period of four weeks from the date of receipt of a copy of this order.



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7. This Writ Petition stands disposed of with the above observations. No costs.

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Index : Yes/ No
Internet : Yes/No
Speaking/Non-Speaking Order

arb

To

- 1.The District Collector,
Nagapattinam District.
- 2.The Joint Registrar of Co-operative Societies,
District Collectorate Office,
Nagapattinam District.
- 3.The Secretary/Principal Officer,
Nagapattinam Urban Co-operative
Credit Society Limited (O.N.3),
Nagapattinam District.



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C.SARAVANAN, J.

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