



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2022

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.26067 of 2019

P.Vijayaragavan

... Petitioner

Vs.

1. The Deputy Registrar of Co-operative Societies,
Collectorate Complex,
Udagamandalam,
The Nilgiris.
2. The Secretary,
J 333, The Nilgiris District, Teachers' Co-operative
Thrift & Credit Society Limited,
Udagamandalam,
The Nilgiris District.
3. The Chief Educational Officer,
Udagamandalam,
The Nilgiris.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to settle all the debits and credit issues in the petitioner's loan account No.7736 in the second respondent society and issue 'No Due' Certificate to the petitioner; consequently direct the respondents to release all the petitioner's share, Recurring Deposits and other deposits from the third respondent's Society with 12% interest.

For Petitioner : NA

For Respondents :

For R1 & R3 : Mrs.C.Meera Arumugam
Additional Government Pleader

For R2 : Mr.D.Venkatachalam
Additional Government Pleader



ORDER

The petitioner has filed this writ petition for the issuance of a Writ of Mandamus to direct the respondents to settle all the debits and credit issues in the petitioner's loan account No.7736 in the second respondent society and issue 'No Due' Certificate to the petitioner and consequently direct the respondents to release all the petitioner's share, Recurring Deposits and other deposits from the third respondent's Society with 12% interest.

2. The learned counsel for the respondents has filed a No Due Certificate given by the President, The Nilgiris District Teacher's Co-operative Thrift and Credit Society LID, NO.J-333 Udhagamandalam, the second respondent herein, which reads as under:

THE NILGIRIS DISTRICT TEACHER'S CO-OPERATIVE
THRIFT AND CREDIT SOCIETY LID, NO.J-333
UDHAGAMANDALAM

PRESIDENT - B.RAVI M.A, B.Ed. DATE:13.05.2022

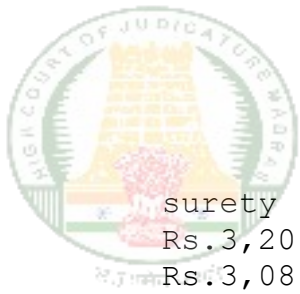
TO WHOMSOEVER IT MAY CONCERN

This is with reference to the Requisition made by Mr.P.Vijayaragavan, Government Higher Secondary School, Devarshola Ooty, Nilgiris District, seeking clearance certificate from the society and I would present the status report as follows:

Mr.P.Vijayaragavan is a member of this society bearing No.10022 and NO DUES in his name.

Whereas the said Mr.P.Vijayaragavan stood surety to another member No.1581 K.Chandravathi for a salary loan of Rs.3,20,000/- in which Rs.3,08,626/- is still due outstanding. As such Mr.P.Vijayaragavan liability towards the society continue to exist as on date for Rs.3,08,626/- with interest accrued severally and jointly with Mrs.K.Chandravathi.

PRESIDENT
The Nilgiris District Teacher's Co-op
Thrift & Credit Society No.J333
Udhagamandalam



3. Considering the fact that the petitioner stood as a surety for one K.Chandravathi who had borrowed a loan amount of Rs.3,20,000/- from the second respondent and an amount of Rs.3,08,626/- is still outstanding, the petitioner is still liable to be act as a surety for the above said person and therefore he cannot be discharged of his liability. Therefore, no orders can be passed in favour of the petitioner as prayed for in this writ petition.

4. Accordingly, this writ petition is dismissed with liberty to the petitioner to approach the respondents as and when the borrower discharges the entire loan amount which remains to be paid. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Rgm

To

1. The Deputy Registrar of Co-operative Societies,
Collectorate Complex,
Udagamandalam,
The Nilgiris.
2. The Secretary,
J 333, The Nilgiris District, Teachers' Co-operative
Thrift & Credit Society Limited,
Udagamandalam,
The Nilgiris District.
3. The Chief Educational Officer,
Udagamandalam,
The Nilgiris.

+1cc to Mr.D.Venkatachalam, Advocate SR.No.34713
+1cc to the Special Government Pleader SR.No.35527

W.P.No.26067 of 2019

SKM (CO)
GN(30/06/2022)