



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 06.04.2022**

**CORAM**

**THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE**

**W.P. (MD) .No.6367 of 2022**

1.S.S.P.Ashok

2.S.Lingammal

3.S.Sankaran

... Petitioners

**Vs.**

1.The Registrar of Cooperative Societies,  
O/o.The Registrar of Cooperative Societies,  
No.170, EVR Periyar High Road,  
Kilpauk,  
Chennai - 10.

2.The Joint Registrar of Cooperative Societies,  
O/o.The Joint Registrar of Cooperative Societies,  
Thoothukudi Region,  
Thoothukudi.

3.The Deputy Registrar of Cooperative Societies,  
Thiruchendur Circle,  
1/38, Medona Street,  
Veerapandipattanam - 628 216,  
Thoothukudi District.

4.TC 26, Kurumbur Primary Agricultural  
Cooperative Credit Societies,  
Represented by the President,  
Kurumbur - 628 207,  
Thoothukudi District.

...Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondents to repay/disburse the fixed deposits made by the petitioners and and their family members with the fourth respondent vide Fixed Deposit Account Nos.87537030006760, 87537030006731, 87537030006761, 87537030006906, 87537030006907, 87537030007282, 87537030007281, 87537030007610, 87537030007623, 87537030007691 and 87537030007692 along with interest at the rate of 8.75% from the date of deposits till the date of realization.

|                 |   |                                               |
|-----------------|---|-----------------------------------------------|
| For Petitioners | : | Mr.D.Shanmugaraja Sethupathi                  |
| For Respondents | : | Mr.M.Senthil Ayyanar,<br>Government Advocate. |



**ORDER**

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to repay/disburse the fixed deposits made by the petitioners and their family members with the fourth respondent vide Fixed Deposit Account Nos.87537030006760, 87537030006731, 87537030006761, 87537030006906, 87537030006907, 87537030007282, 87537030007281, 87537030007610, 87537030007623, 87537030007691 and 87537030007692 along with interest at the rate of 8.75% from the date of deposits till the date of realization.

2. The petitioners and their family members invested money in the fourth respondent Society and fixed deposit receipts were issued in favour of the petitioners and their family members. According to the petitioners, the fixed deposits have got matured in the year 2020 itself, but the fourth respondent has failed to repay the amount to the petitioners. The petitioners have given representations on 22.09.2021 calling upon the fourth respondent to pay the matured value of the fixed deposits to the respective parties in whose name the fixed deposits stand. Since the said representations have not been considered till date, the petitioners have filed this Writ Petition.

3. Heard Mr.D.Shanmugaraja Sethupathi, learned counsel for the petitioners and Mr.M.Senthil Ayyanar, learned Government Advocate, who accepts notice on behalf of the respondents.

4. Even though a positive direction has been sought for by the petitioners, learned counsel for the petitioners, on instructions, would submit that the petitioners are satisfied, if their representations referred to supra are considered on merits and in accordance with law. No prejudice would be caused to the respondents, if such an exercise is done.

5. Accordingly, this Court directs the second and third respondents to consider the petitioners' representations dated 22.09.2021 seeking for repayment of the fixed deposits made by the petitioners and their family members with the fourth respondent vide Fixed Deposit Account Nos.87537030006760, 87537030006731, 87537030006761, 87537030006906, 87537030006907, 87537030007282, 87537030007281, 87537030007610, 87537030007623, 87537030007691 and 87537030007692 along with interest at the rate of 8.75% from the date of deposits till the date of realization and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioners including granting them the right of personal hearing, within a period of six (6) weeks from the date of receipt of a copy of this order.



6. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

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/ /2022  
Sub Assistant Registrar(CS)

Lm

To

- 1.The Registrar of Cooperative Societies,  
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No.170, EVR Periyar High Road,  
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- 3.The Deputy Registrar of Cooperative Societies,  
Thiruchendur Circle,  
1/38, Medona Street,  
Veerapandipattanam - 628 216,  
Thoothukudi District.

+1 CC to M/s.D. SHANMUGARAJA SETHUPATHI, Advocate ( SR-17067[F]  
dated 07/04/2022 )

+1 CC to M/s.SPL.GP ( SR-17177[F] dated 07/04/2022 )

**W.P. (MD) .No.6367 of 2022**  
**06.04.2022**

MGJ(19.04.2022) 3P 6C