



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.6316 of 2022

S.Petchimuthu

... Petitioner

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.

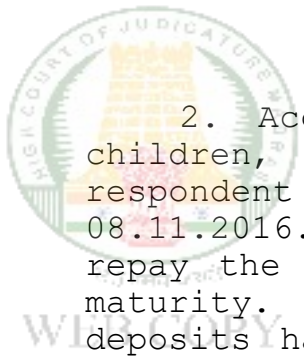
...Respondents

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 petitioner in the name of his minor children vide Fixed Deposit Account Nos.87537030006904 and 87537030006905 along with interest at the rate of 8.75% from the date of deposits till the date of realization.

For Petitioner	:	Mr.D.Shanmugaraja Sethupathi
For Respondents	:	Mr.M.Senthil Ayyanar, Government Advocate.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to disburse the matured amount payable under the fixed deposits standing in the name of the minor children of the petitioner with the fourth respondent based on the petitioner's representation dated 22.09.2021.



2. According to the petitioner, in the name of his minor children, he had invested a sum of Rs.18,00,000 with the fourth respondent Society and fixed deposit receipts were issued on 08.11.2016. According to him, the fourth respondent will have to repay the same with interest at the rate of 8.75 % per annum on maturity. However, according to the petitioner, despite the fixed deposits having got matured, the fourth respondent has not repaid the amount. In such circumstances, the petitioner has given a representation on 22.09.2021 to the third and fourth respondents calling upon them to repay the amount. Since the said representation has not been considered till date, the petitioner has filed this Writ Petition.

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

4. The petitioner has filed documents along with this Writ Petition which includes the copies of the fixed deposit receipts standing in the name of his minor children as well as the representation sent by him seeking for disbursement of the money due and payable to him under the fixed deposits which have already got matured.

5. Admittedly, the representation of the petitioner has not been considered till date. No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the second and third respondents to consider the petitioner's representation dated 22.09.2021 seeking for payment of the matured fixed deposit amounts pertaining to fixed deposit receipts bearing Account Nos.87537030006904 and 87537030006905 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 petitioner including granting him the right of personal hearing, within a period of six (6) weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-III)

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/ /2022

Sub Assistant Registrar(CS)



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+1 CC to M/s.SPL.GP (SR-17204[F] dated 07/04/2022)

+1 CC to M/s.D. SHANMUGARAJA SETHUPATHI, Advocate (SR-17066[F]
dated 07/04/2022)

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