



W.P.(MD)No.13349 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13349 of 2022

M.Muthukannu

... Petitioner

Vs

The Joint Registrar /
Official Liquidator,
Urban Cooperative Bank Limited,
No.28(Liquidated),
No.32, Naicker New Street,
Madurai – 615 001.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent herein to return the original title deeds as per the representation of the petitioner dated 02.05.2022 in view of full and final settlement of borrowal of Rs.10 000/- as per affidavit dated May 2010 enclosing two demand drafts dated 26.04.2010 and 04.05.2010 respectively.

For Petitioner : Mr.V.Janakiramulu

For Respondent : Mr.T.Lajapathi Roy



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ORDER

Heard the learned counsel on either side.

2. The writ petitioner seeks return of the original documents that had been deposited wayback in the year 2000. The stand of the respondent is that the petitioner had availed a loan of Rs.10,00,000/- (Rupees Ten Lakhs only) and he had not even paid a Single pay either towards the principal or towards the interest. The petitioner's claim is that he was paid only Rs.10,000/- (Rupees Ten Thousand only). These are disputed questions of fact. In writ jurisdiction they cannot be gone into.

3. Be that as it may, there is an effective remedy under the Tamil Nadu Cooperative Societies Act, 1983. The petitioner can file a petition under the Section 90 of the Act. The petitioner is a senior citizen. As and when such a petition is filed before the concerned authority, the same shall be numbered and disposed of on merits and in accordance with law within a period of three months thereafter.



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4. With this liberty to the writ petitioner and direction to the competent authority to decide dispute under Section 90 of the Act, this writ petition is disposed of. No costs.

24.08.2022

Index : Yes / No
Internet : Yes/ No
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To

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G.R.SWAMINATHAN, J.

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