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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2022

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THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18553 of 2022

M.Mydeen Pitchai ... Petitioner

v.

1.The Registrar of Cooperative Socieities,
NVN Natarasan Building,
EVR High Road, Kilpauk,
Chenna – 600 010.

2.The Joint Registrar of Cooperative Societies,
Palayamkottai, Tirunelveli – 02.

3.The Secretary,
0.129, Ukkirankottai Primary Agricultural
Cooperative Credit Society,
Tirunelveli District. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to take appropriate action against the third respondent for the misappropriation and fraud committed by them and to return back the petitioner's above 46.500 grams of gold jewels based on the representation given by the petitioner dated 14.07.2022.

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For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.M.Senthil Ayyanar, Government Advocate

ORDER

Heard the learned counsel on either side.

2.The petitioner alleges that the third respondent accepted the pledged jewelry from him but did not disburse the loan amount. In this regard, he had given a complaint and wants action to be taken thereon. Since no action was taken, the present writ petition came to be filed.

3.When the matter was taken up for hearing, the learned Government Counsel appearing for the society submitted that the third respondent had already credited the loan amount of Rs.1,25,000/- in the savings bank account of the petitioner. The said amount is still available in the account of the petitioner. If the petitioner is willing to return the said amount along with interest, the third respondent will immediately return the pledged jewelry to the petitioner.

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4.Recording the said undertaking and submission made by the learned Government counsel, this writ petition is disposed of. The third respondent is restrained from auctioning the pledged jewelry of the petitioner for a period of two weeks from the date of receipt of copy of this order. It is open to the petitioner to pay the interest amount before that period. No costs. Connected miscellaneous petition is closed.

16.08.2022

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To

1.The Registrar of Cooperative Socieities,
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EVR High Road, Kilpauk,
Chenna – 600 010.

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G.R.SWAMINATHAN, J.

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