



W.P(MD)No.18459 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18459 of 2019

R.Gandhimathi

... Petitioner

Vs.

1.The Joint Registrar of Co-operative Societies,
(Housing) Tanjore Division,
Samiyappa Co-operative Management Campus,
Medical College Road, Tanjore-613 007.

2.The Regional Deputy Registrar of Co-operative Societies,
(Housing) Tanjore Zone,
Samiyappa Co-operative Management Campus,
Medical College Road, Tanjore-613 007.

3.A.1432, Arignar Anna Co-operative Housing Society,
Rep. by its President,
No.50/44A, Lalbahadur Sasthri Road,
Kumbakonam-612 001.

4.A.1432 Arignar Anna Co-operative Housing Society,
Rep. by its Secretary,
No.50/44A, Lalbahadur Sasthri Road,
Kumbakonam-612 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to take appropriate action as per section 90 of the Tamil Nadu Co-operative



W.P(MD)No.18459 of 2019

Societies Act, against the 3rd respondent society to raise a dispute and enquiry to be conducted within the stipulated time by considering the petitioner's representation dated 17.06.2019 for the reimbursement of Rs.11,11,110/- with accrued interest from the third respondent society.

For Petitioner : Mr.K.Anna

For Respondents : Mr.A.Baskaran
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner has remitted the petition mentioned amount to the third respondent society. The purpose was to obtain allotment of plots. Now the project itself has been abandoned. The petitioner therefore filed a petition under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983 for refund of the amount. Since no action was taken, the present writ petition has been filed.

3. When the matter was taken up for hearing, the learned Additional Government Pleader submitted that the amount in question will be returned to the petitioner.



W.P(MD)No.18459 of 2019

WEB COPY

4. The third respondent is directed to return the amount remitted by the petitioner within six months from the date of receipt of a copy of this order. If at the end of six months period, the amount in question is not returned, it would carry interest at the rate of 6% per annum from the date of payment by the petitioner.

5. The Writ Petition is allowed on these terms. No costs.

12.12.2022

Index : Yes / No
Internet : Yes/ No
rmi

To

- 1.The Joint Registrar of Co-operative Societies,
(Housing) Tanjore Division,
Samiyappa Co-operative Management Campus,
Medical College Road, Tanjore-613 007.
- 2.The Regional Deputy Registrar of Co-operative Societies,
(Housing) Tanjore Zone,
Samiyappa Co-operative Management Campus,
Medical College Road, Tanjore-613 007.
- 3.A.1432, Arignar Anna Co-operative Housing Society,
Rep. by its President,
No.50/44A, Lalbahadur Sasthri Road,
Kumbakonam-612 001.



W.P(MD)No.18459 of 2019

G.R.SWAMINATHAN, J.

rmi

4.A.1432 Arignar Anna Co-operative Housing Society,
Rep. by its Secretary,
No.50/44A, Lalbahadhur Sasthri Road,
Kumbakonam-612 001.

W.P(MD)No.18459 of 2019

12.12.2022