



WEB COPY

WP(MD)No.7871 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.7871 of 2017

and

W.M.P (MD)No.6097 of 2017

Sagayaraj

... Petitioner

Vs

1.The Registrar of Co-operative Societies (V.e.Va)
22,4th Main Road,
Gandhi Nagar,
Adayar,
Chennai - 20.

2.The Secretary,
TRY (HSG) 36, Pudukottai Taluk Co-operative Housing
Society Limited,
T.S.No.4304, East 2nd Street,
Pudukottai Town,
Pudukottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the second respondent dated 18.04.2015, quash the same as illegal and direct the second respondent to return back the petitioner's original documents mortgaged in the second respondent Society.

For Petitioner : Mr.K.Baalasundharam

For Respondents : Mr.P.Thilak Kumar
Government Pleader for R.1

Mr.P.R.Prithviraj for R.2

ORDER

Heard the learned counsel on either side.

2. The case of the petitioner is that though he had borrowed certain amount of money from the second respondent Society, he had cleared the same under a One Time Settlement. His grievance is that

<https://hcservices.ecourts.gov.in/hcservices/>



the second respondent did not issue any No Objection Certificate. On the contrary, the impugned demand was issued calling upon the petitioner to pay a further sum. Questioning the said communication received from the Society, the writ petition came to be filed.

3. When the matter was taken up for hearing, the learned Government Pleader appearing for the Society submitted that the Society raised dispute before the Registrar under Section 90 of the Tamil Nadu Co-operative Societies Act, and an arbitral award was also passed. It is further stated that the said arbitral award has been put to execution also. In view of the subsequent developments, challenge to the impugned communication has become infructuous. It is for the petitioner herein to question the award said to have been passed by the jurisdictional Registrar. Leaving open the petitioner's other rights and remedies, the writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Registrar of Co-operative Societies (V.e.Va)
22,4th Main Road,
Gandhi Nagar,
Adayar, Chennai - 20.

2.The Secretary,
TRY (HSG) 36, Pudukottai Taluk Co-operative Housing
Society Limited,
T.S.No.4304, East 2nd Street,
Pudukottai Town, Pudukottai District.

+1 CC to M/s.SPL.GP (SR-27467[F] dated 22/06/2022)

+1 CC to M/s.D.SADIQ RAJA, Advocate (SR-27856[F] dated 23/06/2022)

ORDER MADE IN

W.P. (MD)No.7871 of 2017

21.06.2022

PKP/05.07.2022/2P/5C