



W.A.No.2337 of 2021

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.A.No.2337 of 2021

1. The President
Perambur Co-operative Society (Housing)
New No.22, Old No.10/11, Circular Road
Chennai – 82.
 2. The Secretary
Perambur Co-operative Society (Housing)
New No.22, Old No.10/11. Circular Road
Chennai – 82. .. Appellant
- Vs.
1. L.Sathiyarayanan
 2. The Registrar of Co-operative Societies (Housing)
O/o. Co-operative Societies (Housing)
Second Floor, 48 Retherton Salai
Vepery, Chennai – 7. .. Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 10.08.2021 in W.P.No.2087 of 2021.



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For the Appellants : Mr.L.P.Shanmugasundaram
For the Respondents : Mrs.R.T.Shyamala
for respondent 1

Mr.V.Baranidharan
Additional Advocate General
for respondent 2

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

The present appellants assail the order passed by the learned Single Judge dated 10.08.2021 in W.P.No.2087 of 2021 filed by the first respondent.

2. The learned Single Judge directed the appellants herein to execute the sale deed in favour of the original writ petitioner.

3. According to the learned counsel for the appellants, it is not in dispute that the present first respondent is the allottee. However, submits that there is a dispute with reference to the guideline value of the property.



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4. The learned Single Judge observed that there is no dispute with regard to the fact that the original writ petitioner is a member of the third respondent Society and the allotment order was made in his favour on 12.09.1997 and the petitioner has paid the entire cost of the plot in the year 1997 itself. The present appellants had also taken a stand that the sale deed will be executed in favour of the original writ petitioner and they are awaiting the details of the guideline value of the concerned subject property.

5. In the light of the above, when the original writ petitioner has paid the entire consideration amount of the property in the year 1997 itself, there is no reason for the appellants not to execute the sale deed. Thus, the order of the learned Single Judge does not suffer from any illegality.



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6. Accordingly, the appeal as such stands dismissed. There will be no order as to costs. Consequently, C.M.P.No.14821 of 2021 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

06.06.2023

Index : Yes/No

Neutral Citation : Yes/No

kpl/drm



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To

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O/o. Co-operative Societies (Housing)
Second Floor, 48 Retherdon Salai
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THE HON'BLE CHIEF JUSTICE
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