



W.P.Nos.20100, 20102, 20104
& 20106 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P Nos.20100, 20102,
20104 & 20106 of 2023

Heavy Vehicles Factory Employees
Co-operative Thrift & Credit Society Ltd.,
Regn.No.K.P.(Spl) 180,
M.B.No.26A, HVF Estate
Avadi, Chennai 600 054
Represented by its Administrator
Thiru.K.K.Shanmugam Co-operative
Sub-Registrar

...Petitioner in all W.Ps.

Vs.

- 1.The Joint Registrar of Co-operative Societies
Thiruvallur District.
- 2.The Deputy Registrar of Co-operative Societies
Thiruvallur District.
- 3.The Heavy Vehicles Factory
Represented by its General Manager
Avadi, Chennai 54.

- 4.M.Ramesh
- 5.K.Ramamoorthy

...Respondents in WP.No.20100/2023



W.P.Nos.20100, 20102, 20104
& 20106 of 2023

4.N.Deivasigamani

5.R.Saravanan

...Respondents in WP.No.20102/2023

4.K.Ramamoorthy

5.M.Ramesh

...Respondents in WP.No.20104/2023

4.K.Madhavachari

5.V.Murugan

...Respondents in WP.No.20106/2023

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to receive the execution petition filed by the petitioner dated 10.02.2023 and to take cognizance on the application and to dispose of the same within a time frame fixed and thereby to recover the sum dues from the pension amount payable by the third respondent to the fourth respondent in accordance with law.

For Petitioner in
all W.Ps.

: Mr.G.Ilamurugu

For Respondents
in all W.Ps.

: Mr.R.U.Dinesh Rajkumar for R1 & R2
Additional Government Pleader



W.P.Nos.20100, 20102, 20104
& 20106 of 2023

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COMMON ORDER

The petitioner herein seeks a direction to the second respondent to receive the execution petition filed by the petitioner dated 10.02.2023 and dispose of the same within a time frame fixed by this Court.

2. It is the case of the petitioner that he obtained an award against the respondents 3 & 4 in an arbitration proceedings initiated under Section 90 of the Co-operative Societies Act. In order to execute the said award the petitioner filed an execution petition before the second respondent on 10.02.2023 and in spite of lapse of four months, the same has not been numbered by the second respondent. Therefore, the petitioner has come up with this Writ Petition seeking necessary directions for earlier consideration of the execution petition.

3. Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader who takes notice for the respondents 1 & 2, on instructions, submitted that the execution petition filed by the petitioner was returned on 13.06.2023 and the same is not yet represented.



W.P.Nos.20100, 20102, 20104
& 20106 of 2023

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4. The learned counsel for the petitioner submitted that the execution petition filed by the petitioner was returned with a direction to enclose the salary certificate of the respondents 4 & 5 and the same will be represented within a period of one week.

5. In view of the said position, this Court is inclined to issue a direction to the second respondent to number the execution petition to be re-presented by the petitioner immediately, if it is in order and proceed with the execution petition in accordance with law.

6. With these above observations, these Writ Petitions are disposed of. No costs.

28.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
dna



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W.P.Nos.20100, 20102, 20104
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To

- 1.The Joint Registrar of Co-operative Societies
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- 2.The Deputy Registrar of Co-operative Societies
Thiruvallur District.
- 3.The Heavy Vehicles Factor
Represented by its General Manager
Avadi, Chennai 54.



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W.P.Nos.20100, 20102, 20104
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S.SOUNTHAR, J.
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W.P Nos.20100, 20102,
20104 & 20106 of 2023

28.07.2023



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W.P.Nos.20100, 20102, 20104
& 20106 of 2023

28.07.2023