



W.P(MD)No.5489 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.5489 of 2023

K.Reg

... Petitioner

Vs.

1.The Registrar/ Appellate Authority
Cooperative Housing Societies,
Chennai.

2.The Deputy Registrar (Housing),
Vannara Pettai,
Tirunelveli-627 002

3.The Secretary
Y.159 Kanyakumari Cooperative Housing Society,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to dispose the petitioner's appeal in Na.Ka.No. 5392/2022/Sa.Pa.1.



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For Petitioner : Mr.M.Suresh

For Respondents : Mr.K.S.Selva Ganeshan - for R1 to R3
Additional Government Pleader

ORDER

It is stated that the petitioner had discharged the loan borrowed by his vender from the third respondent Society. Irrespective of that particular fact the third respondent had filed arbitration proceedings and had obtained a decree and also filed an execution petition. The petitioner had filed an application seeking to implead himself and to project the fact that the amount had already been paid by the petitioner. The second respondent had negatived the contentions of the petitioner necessitating the petitioner to file an appeal before the first respondent. The said appeal is pending and notice had been directed to the petitioner and the third respondent.

2. Having heard the Additional Government Pleader, it is directed that the first respondent shall dispose of the said appeal within a period of 12 weeks from the date of receipt a copy of this order, but care



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should be taken that opportunity is granted both to the petitioner and to the third respondent to be heard and also to hear their representations.

Any order passed should be passed with reasons.

3. Observing as above, the writ petition stands disposed of.

No costs.

14.03.2023

Index : Yes/No
Internet : Yes/No
NCC : Yes / No
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To

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Cooperative Housing Societies,
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C.V.KARTHIKEYAN, J.

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