



W.A.(MD).No.158 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.10.2023

CORAM

**THE HON'BLE MR JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR JUSTICE V.LAKSHMINARAYANAN**

W.A.(MD).No.158 of 2019
and
C.M.P.(MD).No.1217 of 2019

MDA – HSG – 59 Thirumangalam Taluk,
Cooperative Housing Society Limited,
Thirumangalam – 625 706,
Madurai District,
Represented by its President.

.. Appellant/4th Respondent

Vs.

1.P.S.Rajendran

..1st Respondent/Writ Petitioner

2.The Secretary to the Government,
Housing and Urban Development,
Secretariat,
Chennai - 9.

3.The Registrar (Housing),
No.493, Annasalai,
Tamil Nadu Housing Board Complex,
Nandhanam,
Chennai - 600 035.



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4.The Deputy Registrar (Housing),
Madurai Region,
Plot No.15, RK Nagar,
Madurai - 625 020.

.. Respondents 2 to 4/
Respondents 1 to 3

5.The Secretary to Government,
State of Tamil Nadu,
Co-operation, Food and Consumer Department,
St.George Fort, Chennai,
Tamil Nadu.

..5th Respondent

*(R-5 is suo motu impleaded as per order dated 11.02.2019 in W.A.(MD).
No.158 of 2019)*

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order passed in W.P.(MD).No.2629 of 2014 dated 21.04.2014 passed by this Court and allow this Writ Appeal.

For Appellant : Mr.P.Mahendran

For R-1 : Mr.K.Balasubramanian

For R-2 and R-5 : Mr.S.Shanmugavel
Additional Government Pleader



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JUDGMENT

(Judgment of the Court was delivered by S.M.SUBRAMANIAM,J.)

Today, when the matter is taken up for hearing, the learned counsel for the appellant Co-operative Society brought to our notice that the Society has been liquidated under the provisions of the Tamil Nadu Co-operative Societies Act, 1983. The liquidator has been vested with the powers to deal with the claims of the creditors, employees etc. It is also brought to our notice that the appellant Society will approach the Government for securing loan and to settle the creditors and the employees benefits.

2. The learned counsel for the appellant furnished a copy of the proceedings of the Deputy Registrar of Co-operative Societies (Housing), Madurai dated 10.07.2019, stating that the claims of the employees are to be considered including the claim of the first respondent in the present Writ Appeal.



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3. Since the Society has already been liquidated and the liquidator has taken charge and the authorities have initiated steps to settle the pensionary benefits, the appellant and the respondents 3 and 4 are directed to expedite the issues and settle the dues of the employees by following the procedures as contemplated under the provisions of the Tamil Nadu Co-operative Societies Act and Rules.

4. With the above direction, the Writ Appeal stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

(S.M.S.,J.) (V.L.N.,J.)
05.10.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



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