



**W.P(MD)No.22155 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 12.09.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P(MD)No.22155 of 2023**

**Sivasubramonia Prasad**

**... Petitioner**

**Vs**

1.The Registrar,  
Nagercoil Co-operative,  
Housing Society Y-242,  
Christopher Street,  
Nesamony Nagar,  
Nagercoil-629 001,  
Kanyakumari District.

2.The Secretary,  
Nagercoil Co-operative  
Housing Society Y-242,  
Christopher Street,  
Nesamoney Nagar,  
Nagercoil-629 001,  
Kanyakumari District.

**...Respondents**

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 24.08.2023 for deducting the interest portion under the scheme of One Time Settlement in the petitioner's loan Account No.2648 in the second respondent's society.



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For Petitioner :M/s.S.Mahalkshmi  
For Respondents :Mrs.D.Farjana Ghowshia,  
Special Government Pleader

### **ORDER**

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner has submitted a representation for waiver of interest for the housing loan which he has offered from the second respondent by referring G.O.(Ms)No.31, Housing and Urban Development Department, dated 03.03.2023. In the said Government Order, an One Time Settlement was provided with certain exemption and therefore, the petitioner has filed this writ petition to consider his representation in the light of the G.O.(Ms)No.31, dated 03.03.2023.

3. The learned Special Government Pleader appearing for the respondents submitted that this petitioner has borrowed a loan from the respondents society in the year 2021 and failed to make the payments



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in time and therefore, there was an arrears of Rs.17,00,000/- towards second respondent. On the request of the petitioner, they have already considered and waived the interest and also provided One Time Settlement and directed the petitioner to pay a sum of Rs.11,16,295.70/- on or before 02.09.2023. The petitioner without paying the One Time Settlement amount has filed this writ petition.

4. The learned counsel for the petitioner submitted that this petitioner is entitled for waiver of interest as per the G.O.(Ms)No.31, Housing and Urban Development Department, dated 03.03.2023, however, the second respondent has not considered the case of the petitioner in the light of G.O.(Ms)No.31, Housing and Urban Development Department, dated 03.03.2023.

5. This Court considered the rival submissions made.

6. The petitioner claims that he is entitled for waiver of interest as per G.O.(Ms)No.31, Housing and Urban Development Department, dated 03.03.2023 and also submitted a representation on



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24.08.2023. In view of the above, the second respondent shall consider the case of the petitioner in the light of G.O.(Ms)No.31, Housing and Urban Development Department, dated 03.03.2023 and if he is eligible, the same shall be considered. The said exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of. No costs.

NCC : Yes / No.

Index : Yes / No.

Internet: Yes

am

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**B.PUGALENDHI, J.**

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**Order made in**  
**W.P(MD)No.22155 of 2023**

**12.09.2023**