



C.M.P.Nos.4997 & 5002 of 2024

C.M.P.Nos.4997 & 5002 of 2024

and

C.R.P.Nos.1036 & 1054 of 2023

V.BHAVANI SUBBAROYAN, J.

These Civil Miscellaneous Petitions have been filed to modify the orders, dated 22.09.2023 passed in C.R.P.Nos.1036 & 1054 of 2023.

2. Heard the learned counsel appearing for the petitioners as well as the respondents.

3. The case of the petitioners is that the petitioners had already repaid a sum of Rs.7,68,006/-. Noting the date of the award i.e., on 23.01.2003 till the date of filing this civil revision petition i.e., on 31.08.2023, the total number of days amounts to 7526. The Court has granted 10% of interest for the 7526 days. The above said amount which had already been repaid by the petitioners was deducted from the outstanding amount of Rs.13,56,671/- and on the tune of other charges of Rs.1,04,360/- is added and therefore, the total amount payable by the



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petitioners amounts to Rs.6,93,025/- and this Court directed the petitioners to pay the said amount on or before 31.01.2024.

3. Now, the Government issued an order in G.O(Ms)No.164, Co-operative, Food and Consumer Protection (CC1) Department, dated 13.12.2023. Based on the Government Order, the Registrar of Co-operative Societies issued a Circular in Na.Ka.No.24205/2023/MavaKo3, dated 21.12.2023, wherein, they can settle the amount duly. According to them, the same can be considered by the respondents 2 & 3.

4. Since the petitioners are asked to deposit the amount, the petitioners cannot be said to be in a position not to avail the said scheme and they will be included in the said scheme and appropriate orders may be passed regarding the balance amount.

5. Now, the learned counsel appearing for the petitioners would submit that the petitioners have already given a representation, dated



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16.02.2024 to the respondents 2 & 3 to consider their request.
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6. In view of the above, the respondents 2 & 3 are directed to consider the representation of the petitioners, dated 16.02.2024 based on the G.O(Ms)No.164, Co-operative, Food and Consumer Protection (CC1) Department, dated 13.12.2023 and the circular issued by the Registrar of Co-operative Societies in Na.Ka.No.24205/2023/MavaKo3, dated 21.12.2023 and pass orders within a period of four weeks from the date of receipt of a copy of this order and determine the balance amount payable by the petitioners. As the scheme is only for benefit of the members, this Court is inclined to modify the order passed on 22.09.2023.

7. Accordingly, both Civil Miscellaneous petitions are ordered and the orders, dated 22.09.2023 are modified to the above said extent.

08.03.2024



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WEB COPY **Note: Issue order copy on 12.03.2024**

V.BHAVANI SUBBAROYAN, J.

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