



WEB COPY



W.P. No. 20420 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 20420 of 2018

and

W.M.P. No. 24005 of 2018

M.Karunanithi

... Petitioner

-VS-

1. M/s. Thiruvalluvar Transport Corporation
Employees Co-operative Credit Society
Represented by its Secretary
No. 10, 23rd Street, Jai Nagar
Arumbakkam, Chennai – 600106.

2. M/s. State Express Transport Corporation Ltd.
Rep. By its Managing Director
No. 2, Pallavan Salai
Chennai – 600002.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, forbearing the First Respondent and their subordinates in any way recovering not more than Rs. 16,782/- towards monthly installments for the loan obtained by the Petitioner from the First Respondent to pay the excess amount of Rs. 26,747/- recovered from the salary of the Petitioner during May 2018 and June 2018 with 14% interest by considering the representation of the Petitioner dated 06.07.2018.



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For Petitioner : Mr. D.Soundar Raj

For Respondents : Mr. M.Vinoth (for R1)

Mr. S.Siva Shanmugam (for R2)

ORDER

Heard Mr. D.Soundar Raj, Learned Counsel for the Petitioner, Mr. M.Vinoth, Learned Counsel for the First Respondent and Mr. S.Siva Shanmugam, Learned Counsel for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner had availed the loan of Rs. 8,10,000/- on 07.02.2017 from the First Respondent, which is a Multi State Co-operative Society. The grievance ventilated by the Petitioner is that the installments recovered from the monthly salary of the Petitioner from the Second Respondent was excessive and not in accordance with the agreed terms of borrowing between the parties.

3. In response, the First Respondent has filed Counter-Affidavit dated 19.02.2024 along with statement of accounts showing that recoveries have been made strictly in accordance with the terms of borrowing between the parties. In



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view of the same, nothing remains for further consideration in the Writ Petition.

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In the result, the Writ Petition is disposed. Consequently, the connected Miscellaneous Petition is closed. No costs.

22.02.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 23.04.2024.

Maya

To

1. The Secretary
M/s. Thiruvalluvar Transport Corporation
Employees Co-operative Credit Society
No. 10, 23rd Street, Jai Nagar
Arumbakkam, Chennai – 600106.
2. The Managing Director
M/s. State Express Transport Corporation Ltd.
No. 2, Pallavan Salai
Chennai – 600002.



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P.D. AUDIKESAVALU, J.

Maya

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