



WEB COPY



W.P.No.28117 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2024

CORAM

THE HON'BLE MR. JUSTICE G.K. ILANTHIRAIYAN

W.P.No.28117 of 2024 and W.M.P.No.30666 of 2024

S.T. Rajeswari

... Petitioner

Vs.

1.The Registrar of Cooperative Societies (Housing),
Tamil Nadu Cooperative Housing Federation Campus (II Floor),
No.48, Ritherdon Road, Vepery, Chennai.

2.The Deputy Registrar of Cooperative Societies (Housing),
Vedhachalam Nagar, Chengalpattu Mandalam,
Chengalpattu - 603 001.

3.The Special Officer,
AU MIT Employee Cooperative House Building Society Limited,
Anna University, M.I.T. Employees Cooperative Society (Housing),
Chrompet, Chennai - 600 044. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to execute the direction of the 2nd respondent issued vide notice dated 21.09.2019 Na.Ka.No.1279 of 2018 2 and consequently, register the sale deed based on order of allotment dated 24.08.2017 issued by the 3rd respondent plot No.17 at Survey No.59/1 in No.143, Athanancheri Village of Padappai Village, measuring 2208 sq.ft. in favour of the petitioner.



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For Petitioner : Mr.C. Suraj

For Respondents : Mr.V.Nanmaran
Additional Government Pleader
for R1 and R2

Mr.T.N.C. Kaushik
Additional Government Pleader
for R3

ORDER

This writ petition has been filed for a direction, directing the third respondent to execute the direction issued by the second respondent for registration of sale deed as per the allotment order dated 24.08.2017 in respect of plot No.17 at Survey No.59/1, situated at No.143, Athanancheri Village of Padappai Village, measuring 2208 sq.ft. in favour of the petitioner.

2. On instructions, the learned Additional Government Pleader appearing for respondents 1 and 2 submitted that the erstwhile President of the third respondent Society allotted membership to the petitioner on the ground that the petitioner was a member of the third respondent Society with membership No.249. Thereafter, several complaints were raised as against the president of the third respondent Society and as such, an enquiry



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was ordered under Section 81 of the Tamil Nadu Cooperative Societies Act.

During the enquiry, the petitioner also appeared and deposed that she is a member of the third respondent Society with membership No.249. On verification of the records, it is shown that the allottee is one Nalini. The petitioner was not found as a member of the third respondent/Society.

3. Therefore, the direction, sought for by the petitioner to execute the direction issued by the second respondent for registration of sale deed as per the allotment order dated 24.08.2017 cannot be granted. Therefore, this writ petition is dismissed as nothing survives for further adjudication. However, the petitioner is at liberty to challenge the rejection order in the manner known to law if so advised. No Costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No
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G.K. ILANTHIRAIYAN. J.,

ab

To

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