



W.P.No.30058 of 2024`

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.10.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.30058 of 2024

T.Vanitha

... Petitioner

Vs.

1.The Secretary,

K 1594, Perumanallur Primary Agricultural
Co-Operative Credit Society,
3/154, Eswaran Kovil Street,
Perumanallur,
Tiruppur – 641 666

2.The Secretary,

K 701, Tiruppur Cooperative Building Society,
66A, M.M.Complex,
ABT Road, Karuvampalayam,
Tiruppur 641 604

3.The Secretary,

3148,Kanakkampalayam Primary Agricultural
Co-Operative Credit Society,
Kanakkampalayam,
Tiruppur Ditric

4.P.Thangavel

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India



W.P.No.30058 of 2024`

praying to issue Writ of Mandamus directing the respondents 1 to 3 to release and entrust the amount of all pending Fixed Deposits to the petitioner bearing Nos with 1st respondent Society: Saving Bank Account Number: 3479 & Fixed Deposit Receipt Nos.9637, 9638, 9639 & 9640, 2nd respondent society: Membership No:6205 & Fixed Deposit Receipt Nos.3217, 3218, 3235, 3236, 3287, 3288 and 3677, and the third respondent Society: FAR (Fixed Deposit) No:30304422, totally amounting to Rs.35,00,000/- (Rupees Thirty Five Lakhs Only) respectively along with interest within a time frame fixed by this Court by considering the petitioner's representation dated 24.07.2024.

For Petitioner : Mr.N.S.Suganthan

For Respondents

For R1 to 3 : Mrs.V.Yamunadevi,
Special Government Pleader

ORDER

This writ petition has been filed for direction to the respondents 1 to 3 to release the amount which was deposited in the name of the petitioner with the first respondent society.



W.P.No.30058 of 2024`

WEB COPY

2. Accordingly to the petitioner, the petitioner made fixed deposit with the respondents to the tune of Rs.35 lakhs. On deposit of the said amount, the petitioner was issued fixed deposit receipts. The fourth respondent is none other than her husband. All the fixed deposit receipts are with the custody of the fourth respondent. Due to misunderstanding between them, they are living separately. The petitioner and her daughters filed suit as against the fourth respondent and in-laws and his parents in OS.No.402 of 2022 on the file of the I Additional District Judge, Tiruppur for partition, mandatory injunction and also for maintenance. Therefore, though fixed deposit had matured, the petitioner could not able to withdraw the amount since she could not able to produce the original fixed deposit receipts.

3. On instruction, the learned Special Government Pleader appearing for the respondents 1 to 3 submitted that if the petitioner produces original fixed deposit receipts, they are ready to disburse the matured amount as assured by them.



W.P.No.30058 of 2024`

WEB COPY

4. It is seen that that the petitioner submitted representation in this regard and it is pending before respondents 1 to 3. Therefore, respondents 1 to 3 are directed to conduct enquiry after giving opportunity of hearing to the petitioner as well as the fourth respondent in this regard and dispose of the above representation on merits and in accordance with law within a period of four weeks from the date of receipt of copy of this order.

5. With the above direction, this writ petition is disposed of.
There shall be no order as to costs.

15.10.2024

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
lok



WEB COPY



W.P.No.30058 of 2024`

To

- 1.The Secretary,
K 1594, Perumanallur Primary Agricultural
Co-Operative Credit Society,
3/154, Eswaran Kovil Street,
Perumanallur,
Tiruppur – 641 666
- 2.The Secretary,
K 701, Tiruppur Cooperative Building Society,
66A, M.M.Complex,
ABT Road, Karuvampalayam,
Tiruppur 641 604
- 3.The Secretary,
3148,Kanakkampalayam Primary Agricultural
Co-Operative Credit Society,
Kanakkampalayam,
Tiruppur Ditric



WEB COPY



W.P.No.30058 of 2024`

G.K.ILANTHIRAIYAN, J.

lok

W.P.No.30058 of 2024



WEB COPY



W.P.No.30058 of 2024`

15.10.2024