



WEB COPY



W.P.No.31628 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2024

CORAM :

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

Writ Petition No.31628 of 2017

G.Murugesan

.... Petitioner

-Vs-

1.The Sub Registrar
Co-operative Society (Housing)
Attur Taluk
Salem District.

2.The Secretary
S.1260 Thammampatti Co-operative Society
Housing Unit Sangam Ltd.,
Thammaampatti Post & Village
Ganagavalli Taluk
Salem District.

.. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for the records relating the impugned order dated 30.03.2017 made in Tha.Va.No.814/2016-17 passed by the 1st respondent herein and quash the same.

For Petitioner : Mr.A.Rajakumar

For Respondents : Mr.M.Muthusamy
Government Advocate



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ORDER

Writ petition has been filed in the nature of a certiorari seeking interference with an order dated 30.03.2017 of the 1st respondent, Sub Registrar, Co-operative Society (Housing) Attur Taluk in Salem District.

2.In the affidavit filed in support of the writ petition, it had been stated that the writ petitioner has agricultural lands bearing Survey No.92/4 measuring 3.67 acres in Nagiyampatti Village, Gangavalli Taluk Salem District. His grand mother was a member of the 2nd respondent - Thammampatti Co-operative Society, Housing Unit Sangam Ltd., with membership No.5/86. She had obtained a loan of Rs.1,00,000/- on 08.03.2006 with interest at 11% in loan No.723. It has been stated that since the loan was not repaid proceedings has been initiated by the 2nd respondent and the impugned order had been passed directing the petitioner to pay a sum of Rs.2,88,769/- to the 2nd respondent Society. The entire issue surrounds application for loan and grant of loan and non-repayment of the loan. Writ jurisdiction cannot be invoked for that purpose.

3.The learned counsel for the petitioner stated that the petitioner is of the view that he would settle the loan. The petitioner may very well approach the



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2nd respondent and file a schedule of repayment for repayment of the loan. If any rebate is required with respect to the interest he may give necessary representation and I am confident that the 2nd respondent would apply their mind to the facts and circumstances and pass appropriate orders. However, it would only be in the interest of the petitioner that he repays atleast the principal without any delay as the amount was due would only multiply as days go by.

4. Writ petition stands disposed of. No costs.

12.11.2024

Index : Yes/No

NCS : Yes/No

KP

To

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C.V.KARTHIKEYAN.,J
KP

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