



W.P.No.2792 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.2792 of 2024 and
W.M.P.No.3049 of 2024

C.Mathappan

... Petitioner

Vs.

1.The Secretary,
Pennagaram Co-operative
Housing Society Ltd.,
Pennagaram Taluk,
Dharmapuri District.

2.S.Jagadeesan

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records of Arbitration Award passed by the second respondent dated 30.07.2016 and quash the same.

For Petitioner : Mr.S.Lawrence Peter

For Respondents : Mr.P.Sathish, AGP for R1

ORDER



W.P.No.2792 of 2024

This Writ Petition has been filed for the issuance of a Writ of Certiorari to call for the records of Arbitration Award passed by the second respondent dated 30.07.2016 and quash the same.

2. Heard Mr.S.Lawrence Peter, learned counsel for the petitioner and Mr.P.Sathish, learned Additional Government Pleader for the first respondent.

3. The petitioner who obtained housing loan from the first respondent had subsequently defaulted to make regular payments. This has resulted in an award passed by the Arbitrator, the second respondent herein. Aggrieved over the same, the petitioner is before this Court.

4. It is needless to state that the petitioner has got a statutory remedy to challenge the award of the Arbitrator and he cannot bye-pass the same by filing a Writ Petition and the same will not be maintainable. If the petitioner crossed the period of limitation, it is upto him to file a petition for condoning the delay along with an appeal memorandum



W.P.No.2792 of 2024

before the appropriate authority.

WEB COPY

5. In view of the above stated reasons, this Writ Petition is disposed. No costs. Consequently, connected miscellaneous petition is closed.

08.02.2024

Index : Yes /No
Internet : Yes/No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

To

The Secretary,
Pennagaram Co-operative
Housing Society Ltd.,
Pennagaram Taluk,
Dharmapuri District.



WEB COPY



W.P.No.2792 of 2024

R.N.MANJULA, J.
gsk

W.P.No.2792 of 2024 and
W.M.P.No.3049 of 2024

08.02.2024