



W.A.(MD)Nos.977 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 19.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

and

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.(MD)No.977 of 2024

and

C.M.P.(MD)No.7069 of 2024

The Secretary,
A.2248, Pandian Nagar Co-operative Society Building,
No.37/45A, 1st Floor,
Pallavan Nagar Main Road,s
B.B.Savadi,
Madurai. : Appellant

Vs.

- 1.G.Pangajam
- 2.The Secretary,
State of Tamil Nadu,
Co-operative Society Department,
Fort St.George, Chennai-09.
- 3.The Additional Registrar/Administrator,
Tamil Nadu Co-operative Housing Federation Ltd.,
No.48, Ritherdon Road,
Veperi, Chennai-7. : Respondents



W.A.(MD)Nos.977 of 2024

WEB COPY

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent Act, to set aside the order made in W.P.(MD)No.21915 of 2021 dated 21.11.2023.

For Appellants	: Mr.S.Kumar
For R2	: Mr.S.Kameswaran
	Government Advocate
For R3	: Mr.S.Kanmani Annamalai

JUDGMENT

[Judgment of the Court was delivered by **R.SURESH KUMAR, J.**]

Against the very same impugned order, the third respondent had filed an intra Court appeal in W.A. (MD) No.777 of 2024, which came to be dismissed by our order dated 23.04.2024 with the following directions:

“9. Insofar as the appellant Federation is concerned, no doubt, if it is their money, they are entitled to get back the money, for which, the 3rd respondent Society is responsible, since whose Secretary had already received the money from the 1st respondent. It is open to the appellant Federation to recover the money from the 3rd respondent Society. Therefore, on that ground, the appellant Federation



W.A.(MD)Nos.977 of 2024

WEB COPY

also cannot retain the document belongs to the 1st respondent.

10. Therefore, for all these reasons, we do not find any plausible reason to show our indulgence against the order passed by the Writ Court, which is impugned herein. Therefore, this Writ Appeal has to fail. Accordingly, it is liable to be dismissed. Therefore, it is dismissed. No costs. The direction given by the learned Judge through the impugned order, shall be complied with by the appellant as well as the 3rd respondent within a period of eight weeks from the date of receipt of a copy of this judgment, failing which, it is open to the 1st respondent to pursue any coercive action, including the contempt proceedings which seems to have already been initiated by the 1st respondent, against the appellant and the 3rd respondent. Consequently, connected miscellaneous petition is closed.”

2. Against the very same order dated 21.11.2023 made in W.P. (MD)No.21915 of 2021, the present writ appeal is filed, but this time by the present appellant, who is none other than the second respondent in the writ petition.

3. Therefore, naturally, the order dated 23.04.2024 of ours would cover this writ appeal also. Therefore, this writ appeal also



W.A.(MD)Nos.977 of 2024

deserves to be rejected on the same ground. Accordingly, this writ appeal is dismissed.

WEB COPY

4.However, the appellant shall send the proposal to the Tamil Nadu Co-operative Housing Federation Ltd., /third respondent herein for return of the documents and that shall be made within a period of two weeks from the date of receipt of a copy of this order and the Federation, who is the third respondent herein, on receipt of the said proposal from the appellant, shall consider the same forthwith and release the documents to the first respondent, through the Society within a period of one week therefrom. No costs.

[R.S.K.,J.] & [G.A.M.,J.]

19.06.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

ta



W.A.(MD)Nos.977 of 2024

WEB COPY To

The Secretary,
State of Tamil Nadu,
Co-operative Society Department,
Fort St.George, Chennai-09.



WEB COPY



W.A.(MD)Nos.977 of 2024

R.SURESH KUMAR, J.
and
G.ARUL MURUGAN, J.

ta

ORDER MADE IN
W.A.(MD)No.977 of 2024

19.06.2024