



W.P(MD)No.16666 of 2015

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2024

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.16666 of 2015

and

W.M.P(MD)Nos.1 of 2015 & 8423 of 2017

Gopalsamy

... Petitioner

Vs.

- 1.The Reserve Bank of India,
Represented through its
Regional Director,
No.16, Rajaji Salai,
Fort Glacis,
Chennai-600 001.
- 2.The Government of Tamil Nadu,
Represented through its
Secretary,
The Food Co-operative and Consumer
Protection Department,
Fort St. George,
Chennai-600 009.
- 3.The Deputy Registrar of Co-operative Societies,
Kokkirakulam,
Tirunelveli-627 009.



W.P(MD)No.16666 of 2015

4.The Liquidator,
A.548, Karisalkulam Primary Agricultural
Co-operative Bank Limited,
A.Karisalkulam-627 719,
Thiruvankadam Via,
Sankarankovil Taluk,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the fourth respondent to disburse a sum of Rs.28,500/- as recurring deposit in petitioner's father Srinivasagan's name deposited upto 29.06.2002 and Rs.28,500/- as recurring deposit in petitioner's mother Nallammal's name deposited upto 29.06.2002 and Rs.10,000/- deposited on 17.03.1998 by the petitioner and Rs.17,000/- deposited on 06.03.1997 and Rs.8000/- on 29.04.1997 by the petitioner's brother Gopalakrishnan, with cumulative interest upto date, along with subsequent interest at the same rate of interest till the disposal of the entire amount, by acting within Section 139 of Tamil Nadu Co-operative Societies Act 1983 and Rule 114 of the Tamil Nadu Co-operative Societies Rules 1988, as per the directions of this first respondent in banking business, within a stipulated period as fixed by this Court and pass such other orders as this Court.

For Petitioner : Mr.F.X.Eugene

For Respondents : Mr.J.K.Jayaselan
Government Advocate



W.P(MD)No.16666 of 2015

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ORDER

The present writ petition is filed for Mandamus, directing the fourth respondent to disburse a sum of Rs.28,500/- as recurring deposit in petitioner's father, Srinivasagan's name deposited upto 29.06.2002, Rs.28,500/- as recurring deposit in petitioner's mother, Nallammal's name deposited upto 29.06.2002 and Rs.10,000/- deposited on 17.03.1998 by the petitioner and Rs.17,000/- deposited on 06.03.1997 and Rs.8000/- on 29.04.1997 by the petitioner's brother, Gopalakrishnan, with cumulative interest upto date, along with subsequent interest at the same rate of interest till the disposal of the entire amount, by acting within Section 139 of Tamil Nadu Co-operative Societies Act 1983 and Rule 114 of the Tamil Nadu Co-operative Societies Rules 1988, as per the directions of this first respondent in banking business.

2. It is submitted that the respondent Society had gone into liquidation. However, subsequently it stands revived. It is submitted that the petitioner may be granted liberty to file a fresh representation taking into account the subsequent event, viz., revival of the respondent Society.



W.P(MD)No.16666 of 2015

WEB COPY

3. The learned Government Advocate for the respondent would submit that if any such representation is made, the same would be considered and orders shall be passed in accordance with law.

4. Recording the same, the writ petition stands disposed of and the petitioner is permitted to submit a fresh representation before appropriate authority within a period of two (2) weeks from the date of receipt of a copy of this order. If any such representation is made within two weeks, appropriate authority shall consider and pass orders, after affording the petitioner a reasonable opportunity of hearing within a period of four weeks thereafter. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

02.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

Note: Issue order copy on 04.09.2024.



W.P(MD)No.16666 of 2015

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 - 2.The Secretary,
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The Food Co-operative and Consumer
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 - 3.The Deputy Registrar of Co-operative Societies,
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W.P(MD)No.16666 of 2015

MOHAMMED SHAFFIQ, J.

BTR

W.P(MD)No.16666 of 2015

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