



W.P.(MD)No.25398 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 29.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.25398 of 2024

Seenivasan

... Petitioner

Vs.

1.The Registrar,
Co-Operative Housing Board,
Rithardan Road,
Vepperi,
Chennai - 600007.

2.Deputy Registrar (Housing Board),
Madurai Region,
Co-Operative House Building Association,
Ramamoorthi Street,
Baskaran Complex,
Chinnachokkikulam,
Madurai - 625002.

3.The Executive Officer,
MDA/HSG.143,
Elumalai Co-Operative Housing Board Society,
T.Krishnapuram Main Road,
Elumalai,
Peraiyur Taluk,
Madurai District.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the 3rd respondent to disburse the maturity amount with subsequent interest to the petitioner pertaining to the fixed deposit numbers 000162 and 000163 within stipulated time fixed by this Court based on the petitioner's representation dated 25.09.2024.

For Petitioner : Mr.K.Anbumanikandan Tamilsooriyan

For Respondents : Mr.D.Sadiq Raja,
Addl. Govt. Pleader for R1 & R2

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the 3rd respondent to disburse the maturity amount with subsequent interest to the petitioner pertaining to the fixed deposit numbers 000162 and 000163 within the stipulated time fixed by this Court based on the petitioner's representation dated 25.09.2024.

2. It is the case of the petitioner that he has deposited a sum of Rs.3,00,000/- vide Fixed Deposit Nos.000162 and 000163 with interest at the rate of 8.75% to the 3rd respondent society. Despite the said fixed deposit has been matured, the amount has not been paid. Hence, the petitioner has filed this Writ Petition.



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3. The learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that the Ex-President and Ex-Secretary of the 3rd respondent society misappropriated the amount and proceedings have been initiated against them and such proceedings have been culminated to an order and they are taking steps to recover the amount from the former officials of the 3rd respondent society. He further submitted that at present, the 3rd respondent is ready to release a sum of Rs.1,00,000/- (Rupees One Lakhs only) to the petitioner and the remaining amount will be settled within a period of another two months. The present Secretary of the 3rd respondent society is also present before this Court.

4. Accordingly, this Court directs the 3rd respondent society to release a sum of Rs.1,00,000/- to the petitioner on or before 04.11.2024 and the remaining amount along with interest shall be paid within a period of two months from 04.11.2024.

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

29.10.2024

NCC : Yes/No
Index : Yes/No
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vsm

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