



W.P.(MD) No.18173 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.06.2024**

CORAM:

THE HONOURABLE MR.JUSTICE **C.SARAVANAN**

W.P.(MD) No.18173 of 2017

S.Velu

... Petitioner

/vs./

- 1.The Joint Registrar of Co-operative Societies,
Tirunelveli Division,
Tirunelveli-2.
- 2.The Deputy Registrar of Co-operative Societies,
O/o. the Deputy Registrar of Cooperative Societies,
Tenkasi,
Tirunelveli District.
- 3.The President,
A66 Chintamani Primary Agricultural Co-operative Bank/
Society,
Chintamani, Puliankudi,
Kadayanallur Taluk,
Tirunelveli District 627 855.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to pass orders to disburse the amount due to the Petitioner by the 3rd respondent co operative



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Bank/Society a sum of Rs.1,46,730/- as mentioned in the 2nd respondent's proceedings Na.Ka.No. 1364/2015 SaPa, dated 23.1.2017 with 15.75% instead of 4% i.e. as per the same yardstick/calculation the 2nd respondent recovered interest from the Petitioner, from the date of retirement of the petitioner.

For Petitioner : Mr.P.F.Ferlin Castro for
Mr.Murugan
For R1 & R2 : Mr.S.Selva Ganesan
Additional Government Pleader
For R3 : No appearance

ORDER

The petitioner has filed this writ petition for a Mandamus to direct the first respondent to pass orders to disburse the amount due to the petitioner from the third respondent Co-operative Bank for a sum of Rs.1,46,730/-, as per the second respondent's proceedings in Na.Ka.No.1364/2015 SaPa, dated 23.1.2017 with interest.

2.It is informed that the petitioner has died during the pendency of the present writ petition. The petitioner was aged about 69 years, when the writ petition was filed. Almost 7 years have lapsed, since the writ petition was filed. The petitioner has died without enjoying the fruits of the order, which he seeks to implement in the writ petition.



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3.Although the petitioner has died, I see no impediment in allowing this writ petition by directing the first respondent to pass suitable orders to disburse the amount due to the petitioner from the third respondent Co-operative Bank for a sum of Rs.1,46,730/-, as per proceedings of the second respondent in his proceedings dated 23.01.2017 bearing Na.Ka.No.1364/2015 SaPa, with interest at the rate of 9% per annum.

4.With the above directions, the Writ Petition stands allowed. No costs.

Index : Yes / No
Internet : Yes / No
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21.06.2024

To

- 1.The Joint Registrar of Co-operative Societies,
Tirunelveli Division,
Tirunelveli-2.
- 2.The Deputy Registrar of Co-operative Societies,
O/o. the Deputy Registrar of Cooperative Societies,
Tenkasi,
Tirunelveli District.

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C.SARAVANAN, J.

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