



WEB COPY

WP No. 7045 of 2014



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2025

CORAM

THE HONOURABLE MRS JUSTICE N. MALA

WP No. 7045 of 2014

1. A.Joseph Manoharan,
22/23, Anna Street, Kamarajpuram,
Chennai-73

Petitioner(s)

Vs

1. The Registrar Of Co-operative
Societies (housing)
TNHB Office Complex,
Nandanam, Chennai-34.

2.The Deputy Registrar Of
Co-operative Societies (housing)
Chennai Region, 26, Ramanathan
Street, Thiagaraya Nagar, Chennai-17.

3.The VSNL Employees
Co-operartive Housing Society Ltd,
(formerly Rep. By Its Administrator) 4,
Swami Sivananda Salai, Chennai-2.



4. S. Komalavalli

(4th respondent is impleaded as per order
of this Court in WMP No.7152 of 2016
dated 03.06.2025

Respondent(s)

PRAYER: This writ petition has been filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the second respondent to proceed with the Arbitration Claim dated 22.4.2013 filed by the petitioner and to pass appropriate orders before a date to be specified by this Honourable Court.

For Petitioner(s): M/s.P. Anbarasan

For Respondent(s): Mr. T. Chezhiyan
for R1 to R3

ORDER

This writ petition has been filed before this Court directing the second respondent to proceed with the arbitration claim dated 22.04.2013 filed by the petitioner and pass appropriate orders.

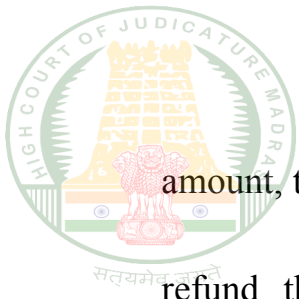
2. The petitioner was an employee of VSNL and a union leader of its employees. The employees' society was formed in the year 1986, for the benefit of the employees of the VSNL and the petitioner was a member of the society.



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VSNL was taken over by M/s.TATA Communications. VSNL held several acres of the land which were purchased for the benefit of its employees. However, when VSNL was taken over by M/s.Tata Communications, the lands were not handed over to the employees of VSNL. A case was therefore filed before the Delhi High Court, for the recovery of the lands. The society succeeded in the case and so M/s.Tata Communications offered to sell the 32.5 acres of land to the Society. The society, after paying the necessary amount, got the sale deed. Post sale in its favour, the society divided the land into 380 plots and 28 common purpose plots. Few members of the society purchased the plots by paying necessary consideration.

3. According to the petitioner, the amounts collected by the society towards sale consideration of the plots rightfully belonged to the employees of VSNL, from whom he collected money to fight the litigation with M/s.Tata Communications, for recovery of the lands of VSNL. So, the petitioner submitted a claim letter on 24.12.2012 to the then administrator of the society. But as the then Administrator of the society did not come forward to refund the



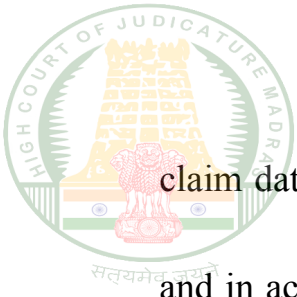
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amount, the petitioner filed the arbitration claim on 22.04.2013, with a prayer to refund the amount of Rs.11,07,57,251/- with interest at 18% p.a., from 22.07.2009 or to return the entire lands covered by the lay out DPD No.26 L.O.No.2010. Since no action was taken, the present writ petition was filed for the aforesaid relief.

4.The learned counsel for the petitioner submitted that he would limit the prayer in the writ petition to a direction to the 2nd respondent to proceed with the arbitration claim filed by the petitioner on 22.04.2013, and to pass orders within a reasonable time.

5.The learned counsel for the respondents confirmed that the arbitration claim is still pending.

6.Under the facts and circumstances of the case and in view of the fact that the arbitration claim is pending before the 2nd respondent for more than 12 years, I am inclined to direct the 2nd respondent, to proceed with the arbitration



claim dated 22.04.2013, of the petitioner and pass appropriate orders on merits

and in accordance with law, within a period of twelve weeks(12) from the date

of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

03-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

mrp

To

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Societies (housing), Tnhb Office
Complex, Nandanam, Chennai-34.

2. The Deputy Registrar Of
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N.MALA J.

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