



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE J. SATHYA NARAYANA PRASAD

W.P.No.37146 of 2024

J.Babu

... Petitioner

vs

1.State of Tamil Nadu

Rep by Secretary to Government

Housing and Urban Development Department

Secretariat, Chennai – 9.

2.The Registrar of Cooperative Societies (Housing)

No.48, 4th floor

Cooperative Housing Federation Building

Ritherdon Road, Vepery, Chennai – 7.

3.The Deputy Registrar of Cooperative Societies (housing)

No.18, Ramanathan Street, T.Nagar

Chennai -17.

4.The Principal Accountant General (Audit-II)

Lekha Pariksha Bhavan

No.361 Anna Salai, Chennai – 18.

5.Tamil Nadu Accountant General Office

Staff Cooperative Building Society Ltd X-437

Represented by Administrative Officer

Office of the Deputy Registrar of Cooperative Societies (Housing)

No.18, Ramanathan Street, T.Nagar

Chennai -17.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of mandamus to direct the 2nd respondent to conduct enquiry and cancel the sale deeds executed in favour of the fake members in Tambaram Scheme, Perungalathur Village, Tambaram Taluk, Kancheepuram District and further forbear the 5th respondent from using my name in execution of the sale deeds by considering the representation viz complaint dated 16.11.2022.

For Petitioner : Mr.S.R.Varun Karthik

For Respondents : M/s.B.Tamilnithi for R1 to R3 and R5.

ORDER

This writ petition has been filed to direct the 2nd respondent to conduct enquiry and cancel the sale deeds executed in favour of the fake members in Tambaram Scheme, Perungalathur Village, Tambaram Taluk, Kancheepuram District and further forbear the 5th respondent from using my name in execution of the sale deeds by considering the representation viz complaint dated 16.11.2022.



2. The learned counsel for the petitioner submitted that pursuant to the complaint dated 16.11.2022, the petitioner participated in the enquiry conducted by the enquiry officer/Cooperative Sub Registrar and filed its report dated 09.02.2023. The learned counsel further submit that the 1st limb of the prayer has been considered by the respondent and with regard to the 2nd limb of prayer the cancellation of sale deeds has not been considered by the respondents till date, despite the enquiry officer submitted his enquiry report on 09.02.2023. The learned counsel would further submit the petitioner was Secretary of the 5th respondent Society and he has demitted the office in the year 1990 itself, whereas the alleged sale deeds were executed in the year 2018 in the name of the petitioner. Hence, it clear that the document is forged one.

3. The learned Additional Government Pleader appearing for the respondents appearing for the respondents 1 to 3 & 5 would submit that the complaint / representation of the petitioner dated 16.11.2022 was already enquired by the Cooperative Sub Registrar and report was also filed on 09.02.2023. He would furthe rsubmit that time limit may be granted to the respondents to take further course of action, based on the report of the enquiry officer.



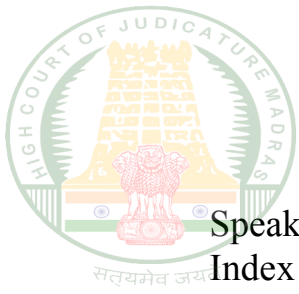
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4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents and perused the materials available on record.

5. It is seen from the counter affidavit filed by the respondents 2 & 3 wherein it is stated that the enquiry officer in his report stated that he found fault with the transaction and alleged the former President of the Society for the entire proceedings and recommended to cancel the registration of 10 plots.

6. This Court directs the respondents 2 and 3 to take further action, based on the enquiry report submitted by the enquiry officer on 09.02.2023, forthwith and the same shall be concluded within a period of six months from the date of receipt of a copy of this order. No costs.

7. For reporting compliance, post on 22.08.2025.



21.02.2025

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

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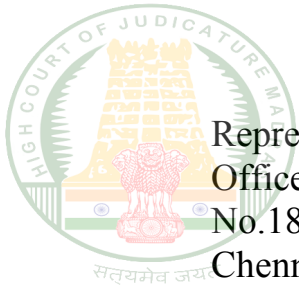
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