



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

**THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

WA No. 2654 of 2022

P.A.Vaithilingam
S/o. Ariputhiri, Plot No. 35, 1st Main Street, Dr. M.
G. R. Nagar, Moolakulam, Puducherry.

..Appellant(s)

Vs

1. The Principal District Judge
Puducherry
2. The Secretary
The Puducherry Co-operative Housing
Society, Ilango Nagar, Puducherry.

..Respondent(s)

To set aside the order passed in W.P.No. 8925 of 2021
dt.21.06.2022 by allowing the writ appeal.

For Appellant(s): Mr.Saravana Kumar
for Mr.K.Sathish Kumar

For Respondent(s): R1 - Given up
NA -R2



JUDGMENT

(Judgment of the Court was delivered by C.Kumarappan J.)

WEB COPY

The present writ appeal is filed against the order of the learned Single Judge dated 21.06.2022, in and by which, the learned single Judge confirmed the order of the Principal District Judge, Puducherry in CRP.No.3 of 2017.

2. The main contention putforth by the appellant is that the interest levied by the Society is exorbitant. Therefore, he seeks for refund of the excess amount paid by him.

3. The learned single Judge, after having considered the order of the Principal District Judge in C.R.P on the factual finding that the appellant, after admitting his liability, having paid the entire amount as calculated by the Society, on a later point of time, cannot turn around and say that the interest claimed by the Society is exorbitant. While looking at the contentions of the appellant, though they have paid the excess amount, but admittedly as found by the Principal District Judge, the amount was paid by the appellant voluntarily.

4. Therefore, as rightly observed by the learned single Judge, having paid the amount voluntarily, after accepting the calculation made by the Society, after making such payment, the appellant cannot raise any dispute in respect of the quantum of interest. Apart from that, under Article 226 of the



Constitution of India, when the impugned order is not perverse, the Court is not really concerned with the decision but only with the decision making process and as rightly observed by the learned single Judge, we could not find any infirmity in the decision making process of the Principal District Judge. Therefore, we find no merits in the Appeal. Therefore, the Writ Appeal stands dismissed. No costs.

(S.M.S.,J.) (C.K.,J.)
05-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VSI

To

1. The Principal District Judge,
Puducherry.
2. The Secretary,
The Puducherry Co-operative Housing Society,
Ilango Nagar, Puducherry.



WEB COPY

WA No. 2654 of 2



**S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.**

VSI

WA No. 2654 of 2022

05-02-2026