

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

WP(C).No. 4377 of 2015 (V)

PETITIONER:

SWAMINATHAN, S/O. VELAPPAN,
PADINJARETHIL HOUSE, KULAPPADAM,
KUMARAMPATHOOR P.O., MANNARKKAD,
PALAKKAD.

BY ADVS. SRI. K. MOHANAKANNAN
SMT. A. R. PRAVITHA

RESPONDENTS:

1. JOINT REGISTRAR (GENERAL) OF CO-OPERATIVE SOCIETIES, PALAKKAD - 678 001.
2. KUMARAMPATHUR HOUSING CO-OPERATIVE SOCIETY REPRESENTED BY ITS SECRETARY, KUMARAMPATHUR MANNARKKAD, PALAKKAD-678 583
3. ARBITRATOR/SPECIAL SALE OFFICER, KERALA STATE CO-OPERATIVE HOUSING FEDERATION LTD., KOZHIKODE REGION KOZHIKODE-673 001.

R2 BY ADV. SRI. V. M. KURIAN
BY GOVERNMENT PLEADER SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- | | | |
|--------|---|--|
| EXT.P1 | - | TRUE COPY OF THE FORM NO.9 NOTICE ISSUED BY THE 3RD RESPONDENT DATED 29-5-2007 |
| EXT.P2 | - | TRUE COPY OF THE ORDER NO.7774/2007/AEL PASSED BY THE 1ST RESPONDENT DATED 21-4-2008 |
| EXT.P3 | - | TRUE COPY OF THE DISCHARGE SUMMARY FROM EMS MEMORIAL CO-OPERATIVE HOSPITAL, PERINTHALMANNA DATED 8-11-2007 |
| EXT.P4 | - | TRUE COPY OF THE MEDICAL CERTIFICATE ISSUED BY THE DOCTOR IN MOTHER CARE HOSPITAL, MANNARKKAD DATED 8-1-2015 |
| EXT.P5 | - | TRUE COPY OF THE REPRESENTATION DATED 28-1-2015 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT |
| EXT.P6 | - | TRUE COPY OF THE ORDER DATED 2-2-2015 BY THE 2ND RESPONDENT |

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 4377 OF 2015

Dated this the 7th day of April, 2015

JUDGMENT

The petitioner seeks re-conveyance of the property sold in execution. The second respondent Society is not averse to such request put in by the petitioner. But the second respondent Society insists that a sum of ₹5,67,521/- is due as on 01.04.2015.

2. The said sum with interest thereon at 15% per annum shall be deposited within a period of six weeks from today. The sale in favour of the second respondent Society will stand annulled on such deposit. The petitioner can get the sale certificate cancelled after the deposit is made. The entries in the records can also be got reversed in favour of the petitioner.

3. The petitioner will lose the benefit of this judgment if any default is committed in the deposit within the time stipulated.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**