

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.11.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.14553 of 2015

and

M.P.No.1 of 2015

S.Bhuvaneswari

[PETITIONER]

Vs

1. The Deputy Registrar of Co-operative Societies (Credit)
Kuralagam,
Chennai - 600 108
2. The Managing Director
(Previously known as The Special Officer)
Chennai Central Co-operative Bank,
No.215, Prakasam Salai,
Chennai 600 108.
3. The Sale Officer,
Chennai Central Co-operative Bank,
No.215, Prakasam Salai, Broadway
Chennai 600 108.

[RESPONDENTS]

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of certiorarified to quash the impugned public auction sale notice dated 16.04.2015 issued by the first respondent consequently direct the respondents to consider the petitioner's objections dated 31.12.2014.

For Petitioner : Mr.K.Srinivasan

For Respondent-1 : Mr.Bala Ramesh,
Additional Government Pleader

For Respondent-2 : Mr.P.Anbarasan

O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2. Heard Mr.K.Srinivasan, learned Counsel appearing for the petitioner, Mr.Bala Ramesh, learned Additional Government Pleader appearing for the first respondent and Mr.P.Anbarasan, learned counsel appearing for the second respondent.

3. The petitioner has challenged the order passed by the respondent Bank which is an order pursuant to the rejection of the claim petition made by the petitioner who is the wife of one Shanmugavel. The said Shanmugavel was an employed as Assistant Manager in the Chennai Central Co-operative Bank and he was removed from service on the ground of misappropriation of more than Rs.60 lakhs. The petitioner is said to have made a Claim Petition stating that the property in question should not be brought for auction. The competent authority examined the Claim Petition and rejected the same. Challenging the same, the Writ Petition was filed.

4. Though the petitioner raised certain grounds in the Writ Petition and this Court is not fully convinced and was inclined to grant an opportunity to the petitioner to show her bonafide. Accordingly, an order passed on 13.5.2015, directing the petitioner to deposit a sum of Rs.25,00,000/- before the first respondent within a period of eight weeks, failing which the Petition would be dismissed automatically. However, the conditional order has not been complied with. Perusal of the materials placed on record would show that the Claim Petition filed by the petitioner was properly considered and objections were received and thereafter the sale has been notified. The petitioner has not established any cause for interference in the impugned proceedings.

5. Accordingly, the Writ Petition fails and the same is dismissed. No costs. Consequently, connected Miscellaneous Petitions closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

rpa
To

1. The Deputy Registrar of Co-operative
Societies (Credit),
Kuralagam, Chennai - 600 108

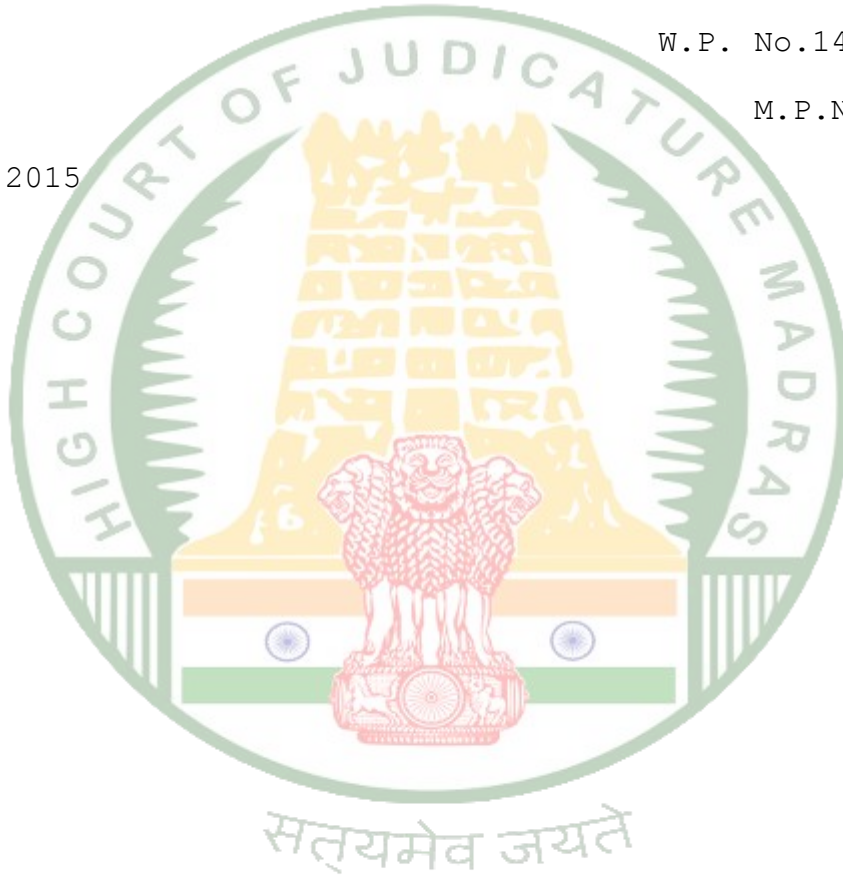
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+1 cc to Mr.P.Anbarasan, Advocate, sr.60382

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