

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 4/11/2015

C O R A M

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

WP.No.23764 of 2015

and
MP.No.1 of 2015

The Secretary,
Tamil Nadu State Transport Corporation,
Employees Co-Operative Thrift and Credit
Society Limited,
FT-65, Vazhudhareddy,
Villupuram Petitioner

Versus

- 1.The Deputy Registrar of Co-Operative Societies,
Villupuram.
- 2.The General Manager,
FV 101,
Villupuram District Central Co-Operative Bank,
Villupuram
- 3.The Co-operative Tribunal,
(Principal District Judge),
Villupuram.
- 4.The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Villupuram. ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus forbearing the first respondent herein from proceeding with E.P.No.99/2008-2009 in ARC No.687/2008-2009 on the file of the first respondent herein till the disposal of I.A.No.88 of 2015 in CMA No.18 of 2010 on the file of the third respondent herein.

For Petitioner : Mr.T.Dhanyakumar
For R1 : Mr.L.P.Shanmugasundaram(Co.op)
For R2 : Mr.R.Arumugam
For R3 : No Appearance
For R4 : Mr.Paramasivadass

O R D E R

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

2. The petitioner seeks for an issuance of a writ of mandamus to forbear the first respondent from proceeding with E.P.No.99/2008-2009 in ARC No.687/2008-2009 on the file of the first respondent till the disposal of I.A.No.88 of 2015 in CMA No.18 of 2010 on the file of the third respondent herein.

3. The learned counsel appearing for the second respondent submits that C.M.A.No.18 of 2010 has been fully heard by the learned Principal District Judge, Villupuram and judgment was reserved on 27th October 2015. Further it is submitted that the Sale Officer has conducted the auction sale and an order dated 9th September 2015 was passed by the Sale Officer, confirming the sale.

4. The learned counsel appearing for the petitioner submits that citing the pendency of this writ petition, the petitioner herein has filed a petition in I.A.No.88 of 2015 under Section 152 (6) of the Tamil Nadu Co-operative Societies Act, before the Principal District Judge, Villupuram, to reopen CMA No.18 of 2010.

5. The learned counsel for the petitioner further submits that the writ petition may be closed by recording the submission made by the learned counsel appearing for the second respondent.

6. In the light of the fact that already CMA No.18 of 2010 has been heard and judgment has been reserved, no orders can be granted in favour of the petitioner in this writ petition.

7. Accordingly this writ petition is dismissed. The learned Principal District Judge, Villupuram is directed to pronounce the judgment, as expeditiously as possible, since this Court has dismissed the writ petition and consequently, if any application for reopening is filed, the

same also requires to be closed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CO)

True Copy

Sub Assistant Registrar

To

- 1.The Deputy Registrar of Co-Operative Societies,
Villupuram.
- 2.The General Manager,
FV 101,
Villupuram District Central Co-Operative Bank,
Villupuram
- 3.The Co-operative Tribunal,
(Principal District Judge),
Villupuram.
- 4.The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Villupuram.

+1cc to M/S.R.Arumugam, Advocate Sr.60770
+1cc to M/S.T.Dhanyakumar, Advocate Sr.60822
+1cc to The Government Pleader, Sr.60940

WP.No.23764 of 2015

rsk[co]
srg 20/11/2015

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