

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.3.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

W.P.No.28231 of 2014
M.P.No.2 of 2014 and
M.P.No.1 of 2015

K. Kavitha Petitioner

vs

1. The District Registrar of Co-operative Societies,
Deputy Registrar Office,
Dharapuram,
Erode District
2. The Deputy Registrar of Co-operative Societies,
Deputy Registrar Office,
Dharapuram, Erode District
3. K. Thirumalaisamy
4. The Secretary,
K-503, Erisanampatti Primary Agricultural
Co-operative Credit Society Limited,
Erisanampatti village,
Udumalpet Taluk, Tiruppur District

(Impleaded as 4th respondent as per order
dated 29.1.2015 in MP No.3/2014)

..... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus to call for the records from the first respondent in his proceedings No.Ni.Ma.No.97/95-96 dated 29.9.2014 (auction to be held on 3.11.2014) quash the same and consequently forbear the respondents 1 and 2 from in any way interfering with the peaceful possession and enjoyment of the properties of the petitioner.

For petitioner : Mr.A. Esakkiappan
For R.1 & R.2 : Mr.V. Balaramesh
AGP

For R.4 : Mr.M.S. Palanisamy

For R.3 : No appearance

ORDER

The petitioner has filed the above writ petition for issuance of a Writ of Certiorarified Mandamus to call for the records from the first respondent in his proceedings No.Ni.Ma.No.97/95-96 dated 29.9.2014 (auction to be held on 3.11.2014) quash the same and consequently forbear the respondents 1 and 2 from in any way interfering with the peaceful possession and enjoyment of the properties of the petitioner.

2. The learned counsel for the petitioner has sought permission of this court to withdraw the writ petition. He has also made an endorsement to that effect.

3. In view of the endorsement made by the learned counsel for the petitioner, the writ petition stands dismissed as withdrawn. No costs. Consequently, connected MPs are closed.

4. The learned counsel for the petitioner submits that the writ petitioner has filed a civil suit in O.S.No.449 of 2014 on the file District Munsif Court, Udumalpet and that the trial court may be directed to dispose of the suit within a stipulated time.

5. The learned counsel for the respondents have no objection for giving such direction.

6. Having regard to the submissions made by the learned counsel on either side, I direct the learned District Munsif, Udumalpet to dispose of the case in O.S.No.449 of 2014 on merits and in accordance with law within a period of six months from the date of receipt of copy of this order.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

sr

To

1. The District Registrar of Co-operative Societies,
Deputy Registrar Office,
Dharapuram,
Erode District
2. The Deputy Registrar of Co-operative Societies,
Deputy Registrar Office,
Dharapuram, Erode District
3. The Secretary,
K-503, Erisanampatti Primary Agricultural
Co-operative Credit Society Limited,
Erisanampatti village,
Udumalpet Taluk, Tiruppur District

Copy to

The District Munsif
Udumalpet

- 1 cc to M/s.M.S. Palaniswamy, Advocate, Sr. 14400
- 1 cc to Mr.A. Esakkiappan, Advocate, Sr. 14110
- 1 cc to Government Pleader, SR. 14224

W.P.No.28231 of 2014

VSN (CO)
kk 7/4

सत्यमेव जयते

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