

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2015

CORAM

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

W.P.No.3906 of 2015
& M.P.No.1 of 2015

S.Velavan

... Petitioner

Versus

1. The Deputy Registrar of Co-operative Societies,
Tiruvallur Circle, Backside of Collector Complex,
Tiruvallur, Tiruvallur District.
2. The Sale Officer/Deputy Registrar of Co-operative Societies,
Tiruvallur Circle, Backside of Collector Complex,
Tiruvallur, Tiruvallur District.
3. The President,
K.P.SPL.170, Vellavedu Primary Agricultural
Co-operative Society, Vellavedu,
Tiruvallur District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for the issuance of a writ of Certiorari calling for the entire records relating to the impugned order passed by the 1st Respondent in his proceedings E.P.No.1/2012/13 A-1, dated 13.01.2015 and consequential order passed by the 1st Respondent on 28.01.2015 for bringing the said property for public auction to be held on 04.03.2015 and quash the same.

For Petitioner : Mr.C.Prakasam

For Respondents 1 to 3 : Mr.L.P.Shanmugasundaram
Spl. Govt. Pleader

O R D E R

The petitioner has filed the present writ petition to issue a writ of certiorari calling for the entire records relating to the impugned order passed by the 1st Respondent in his proceedings E.P.No.1/2012/13 A-1, dated 13.01.2015 and consequential order passed by the 1st Respondent on 28.01.2015 for

bringing the said property for public auction to be held on 04.03.2015 and quash the same.

2. Learned counsel for the petitioner sought for the permission of this Court to withdraw the writ petition and also made an endorsement to that effect in the petition. Learned counsel further submitted that the District and Sessions Court, Tiruvallur may be directed to consider the stay petition filed by the petitioner in CMA.No.2 of 2013 tomorrow itself for the reason that the auction of the property is scheduled to be held on 04.03.2015 at 11.00a.m.

3.Mr.L.P.Shanmugasundaram, learned Special Government Pleader appearing for the respondents submits that the concerned Government Pleader who is appearing for the respondents in CMA.No.2 of 2013 shall appear before the District Court, Tiruvallur, tomorrow when the application is taken up for hearing.

4.In these circumstances, having regard to the submissions made by the learned counsel on either side, this writ petition stands dismissed as withdrawn and the learned District and Sessions Court, Tiruvallur is directed to consider the petitioner's stay petition filed in CMA.No.2 of 2013 tomorrow itself and pass orders on merits and in accordance with law. As stated by the learned Special Government Pleader, the concerned Government Pleader who is appearing before the District Court, Tiruvallur, shall appear for the respondents when the matter is taken up for hearing. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst. Registrar

/true copy/

सत्यमेव जयते

Sub Asst. Registrar.

smi

To

1. The District & Sessions Judge,
Tiruvallur
2. The Deputy Registrar of Co-operative Societies,
Tiruvallur Circle, Backside of Collector Complex,
Tiruvallur, Tiruvallur District.

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3. The Sale Officer/Deputy Registrar of Co-operative Societies,
Tiruvallur Circle, Backside of Collector Complex,
Tiruvallur, Tiruvallur District.

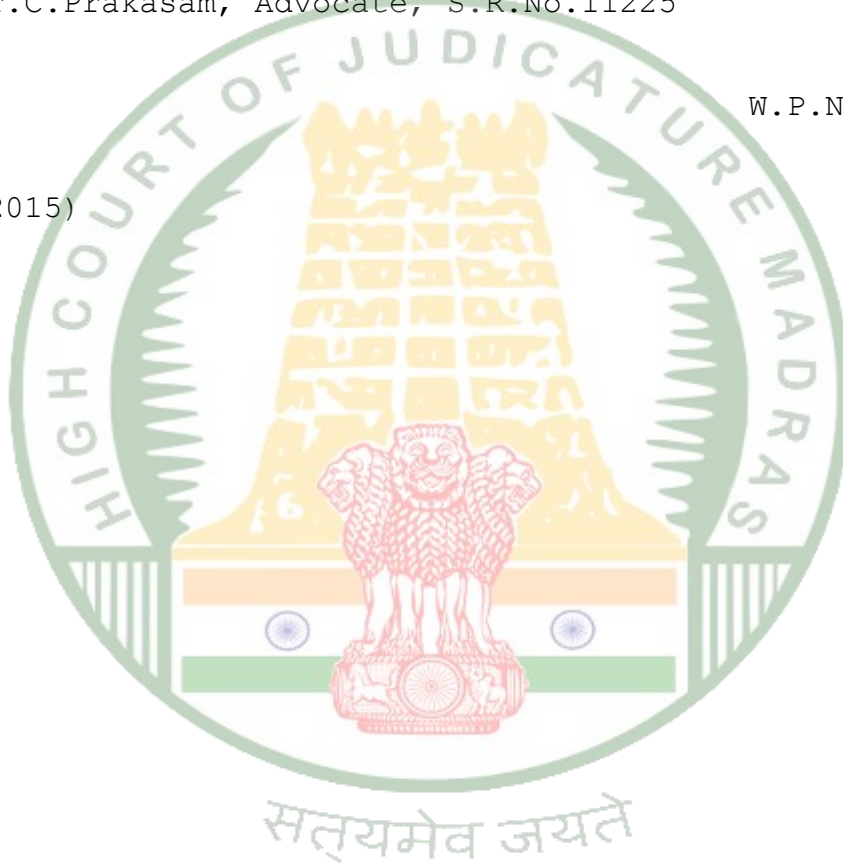
4. The President,
KP. SPL.170,
Vellavedu Primary Agricultural Co-operative Society,
Vellavedu, Tiruvallur District.

+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.11327

+1cc to Mr.C.Prakasam, Advocate, S.R.No.11225

W.P.No.3906 of 2015

NM(CO)
CA(02/03/2015)



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