

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.06.2017

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.5522 of 2017

P.Krishnamoorthy

... Petitioner

- Vs -

1. The Deputy Registrar of Co-operative Societies,
Ariyalur Circle, Ariyalur.
 2. Ty.Spl.105, Alagapuram Primary Agricultural
Co-operative Credit Society Ltd.,
Alagapuram Post, Udayarpalayam Post,
Ariyalur District,
Represented by its Secretary.
 3. The Sub-Registrar,
Aandimadam,
Ariyalur District.
 4. M.Annadurai,
 5. M.Sivakumar
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to consider the representation dated 10.12.2016 of the petitioner, regarding alienation of properties under attachment by the society and initiation of action to prevent the same and take action thereon forthwith.

For Petitioner : Mr.K.Govindaraj

For R1 & R3 : Mr.V.Selvaraj
(Addl.Government Pleader)

For R2 : Mr.L.P.Shanmugasundaram
(Special Govt. Pleader)

For R4 : No Appearance

For R5 : Mr.D.Kumaralingam

O R D E R

According to the petitioner, he made a representation on 10.12.2016, stating that the 4th respondent has effected sale agreement with the 5th respondent illegally with regard to the subject matter of the property, which was already attached by the 2nd respondent society and a suit has been filed by the 5th respondent seeking the relief of specific performance, which was decreed as prayed for on 19.10.2010, against which an appeal suit has also been filed and the same was dismissed by the appellate court confirming the judgment and decree of the trial court. Hence, the petitioner has made representation bringing it to the notice of the 1st respondent, the afore said illegality committed by the 4th respondent. But, there is no response to the said representation till date. Therefore, the petitioner has filed the present writ petition before this Court.

2. The learned Additional Government Pleader has submitted that the 1st respondent has stated in the counter that no such representation was received and therefore, he prays that this writ petition may be dismissed.

3. In the light of the above submission made by the learned Additional Government Pleader, this Writ Petition is dismissed. However, it is open to the petitioner to file a fresh representation to the 1st respondent, if he is so advised and permissible under law. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ssn

To

1. The Deputy Registrar of Co-operative Societies,
Ariyalur Circle, Ariyalur.

2. The Sub-Registrar,
Aandimadam,
Ariyalur District.

+1cc to Mr.K.Govindaraj, Advocate SR.No.42967

+1cc to Mr.L.P.Shanmugasundaram, Advocate SR.No.43112

+1cc to Government Pleader SR.No.43169

W.P.No.5522 of 2017

CS (CO)

GN(04/07/2017)