

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.07.2017

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.2027 of 2015  
and  
M.P.No.1 of 2015

Ponnappan @ Sellappan ... Petitioner

- Vs -

1. The Cooperative Sub-Registrar/  
Sales Officer / Field Officer,  
Edappadi in-charge,  
McDonald Chouldry,  
Salem District.

2. The Deputy Registrar of the  
Cooperative Societies,  
Sankari Circle,  
Sankari,  
Salem District.

3. The Managing Director,  
Nedungulam Primary Agricultural  
Cooperative Loan Credit Society No.10606,  
Nedungulam,  
Edappadi Taluk,  
Salem District.

4. S.Ramasamy

5. A.Eswaramurthy ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned auction sale held on 29.12.2014 as per the auction sale notice 24.11.2014 made in Form Nos.8 and 9 in E.P.No.1/2010-11 and the consequential order dated 26.12.2014 made in Objection Petition No.1 of 2014 passed by the 1<sup>st</sup> respondent, quash the same and consequently direct the respondents 1 to 3 from in any way proceeding against the petitioner's separate properties

measuring an extent of 2.90 acres comprised in S.F.Nos.241/1A2B, 241//2A1B, 241/1C, 241/2C, 250/1A3 and 250/1C, Nedungulam Village, Edappadi Taluk, Salem District.

For Petitioner : Mr.N.Manokaran  
For R1 & R : Mr.V.Selvaraj  
Additional Govt.Pleader  
For R3 : Mr.M.S.Palanisamy  
R4 & 5 : No Appearance

O R D E R

According to the petitioner, this writ petition is challenging the order passed under Rule 135 of the Tamil Nadu Cooperative Societies Rules, 1988.

2. The learned counsel for the 3<sup>rd</sup> respondent society would submit that the petitioner is having alternative remedy under Rule 135(3) of the Tamil Nadu Cooperative Societies Rules before the Competent Civil Court.

3. In view of the above submissions made by the learned counsel for the parties, this writ petition is dismissed as not maintainable with liberty to the petitioner to approach the appropriate Civil Court, if he is so advised, within a period of one month from the date of receipt of a copy of this order.

4. Office is directed to return the original impugned order, after obtaining the copy of the same. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ssn

To

1. The Cooperative Sub-Registrar/  
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Nedungulam, Edappadi Taluk,  
Salem District.

4. The Section Officer, Writ Section, High Court, Madras.

+ 1 cc to Mr.N. Manokaran, Advocate Sr.50185

+ 1 cc to Government Pleader Sr.50631 & 50671

+ 1 cc to Mr.M.S. Palaniswamy, Advocate Sr.50699

W.P.No.2027 of 2015  
and  
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CS-CCC  
EU 31.07.17

सत्यमेव जयते

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