

COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2017

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.14717 of 2017

K. Nister Alikhan

.. petitioner

Vs.

1. Deputy Registrar of Co-Operative Societies,
Namakkal Region,
RMS Complex,
Trichy Main Road,
Namakkal.
2. The Executive Officer,
S-366, Nachipatty Primary Agriculture,
Co-operative Credit Society Ltd,
Nachipatti Village,Vennandhur Post,
Rasipuram Taluk,
Namakkal District - 637 505.
3. Sub Registrar,
O/o the Sub Registration,
Mallasamudram & Post,
Thiruchengode Taluk,
Namakkal District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records from the 1st respondent relating to his proceeding Nee.Ma.1/2015/Sa.Pa dated 15.02.2016 and quash the same in so far as it relates to petitioner's lands bearing S.Nos.39/10, 39/13, 41/8 and 42/15 of Vennandhur Village are concerned stated in Schedule of property annexed in the notice of attachment dated 09.04.2015 issued to Smt.Mythili W/o.Mr.Kannan and consequently direct the 1st respondent to raise the attachment in respect of the same.

For Petitioner : Mr.V.Venkkatasamy

For Respondents : Mr.V.Selvaraj,
Additional Government Pleader

ORDER

Today, the matter is posted for final disposal.

2. The learned counsel for the petitioner would submit that on 09.04.2015, the first respondent issued a notice under Section 167 of the TNCS Act, 1983 to one K.Mythili to furnish security for a sum of Rs.6,84,506/- to satisfy the decree failing which the immovable property specified in the said notice will be conditionally attached and as such, the property was attached. Since the subject property is originally belonged to the petitioner herein, on 18.06.2015, the petitioner requested the first respondent not to attach the above property. But, the first respondent by a proceedings Nee.Ma.1/2015/Sa.Pa dated 15.02.2016 directed him to settle the loan amount and thereafter request of the petitioner will be considered. Against the said proceedings, the petitioner has filed the present writ petition before this Court.

3. The learned Government Advocate has placed before this Court a letter No.Ne.Ma.1/15/Sa.Pa dated 20.06.2017 wherein the first respondent has informed to the Special Government Pleader in Para 2 of Page 2 that as the outstanding loan amount has been discharged by Mr.P.Kannan, husband of Mythili, steps have been taken to raise the attachment order passed against the property of K.Nister Alikhan/the petitioner herein.

4. Therefore, recording the aforesaid letter, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

lok

To

1. Deputy Registrar of Co-Operative Societies,
Namakkal Region,
RMS Complex,
Trichy Main Road,
Namakkal.

2. The Executive Officer,
S-366, Nachipatty Primary Agriculture,
Co-operative Credit Society Ltd,
Nachipatti Village, Vennandhur Post,
Rasipuram Taluk,
Namakkal District - 637 505.

3. Sub Registrar,
O/o the Sub Registration,
Mallasamudram & Post,
Thiruchengode Taluk,
Namakkal District.

+1cc to Mr.V.Venkkatasamy, Advocate, S.R.No.43414
+1cc to Mr.M.S.Pananiswamy, Advocate, S.R.No.43547
+1cc to the Government Pleader, S.R.No.43804

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PA (CO)
CS/23/08/17



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