

IN HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2017

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.14879 of 2017 and
W.M.P. No.16124 of 2017

Banumathi

..petitioner

Vs.

1. The Deputy Registrar(Housing),
Co-Operative Societies(Housing),
Arbitrator,
Vellore Zone,
Vellore.

2. The Secretary,
Jolarpet Co-operative Building
Society Ltd.,
Jolarpet, Vellore District,
Pin Code : 635 851.

..Respondents

Prayer:

Writ Petition is filed under Article 226 of the Constitution of India to issuance of Writ of Certiorarified Mandamus calling for records pertaining to the Sale Notice dated 08.05.2017 in A.R.C.No.1686/04-05 and in C.E.P.No.415/10-11 issued by the 1st respondent herein and quash the same and consequently directing the respondents herein to provide sufficient time to the petitioner herein to discharge the liability in her Loan Account No.972.

For Petitioner : Mr.N.Mariappan

For R1 : Mrs.T.Girija,
Government Advocate.

For R2 : Mr.V.Selvaraj,
Additional Government Pleader
(Cooperative)

ORDER

The petitioner has filed this writ petition praying to quash the impugned sale notice dated 08.05.2017. The petitioner has also stated in the affidavit that his property would be auctioned on 14.06.2017 at 11.00 a.m. based on the above sale notice.

2. Now, the learned Government Advocate would submit that no auction was conducted on 14.06.2017 as mentioned in the writ petition. Therefore, the writ petition has become infructuous.

3. In view of the submissions made by the learned Government Advocate, the writ petition is dismissed as infructuous. However, liberty is granted to the petitioner that, if necessary, he can agitate the matter afresh. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

lok

To

1. The Deputy Registrar(Housing),
Co-Operative Societies(Housing),
Arbitrator,
Vellore Zone,
Vellore.

2. The Secretary,
Jolarpet Co-operative Building
Society Ltd.,
Jolarpet, Vellore District,
Pin Code : 635 851.

+1 cc to M/s.N.Mariappan Advocate sr 43740

+1 cc to the Government Pleader sr 43805

W.P.No.14879 of 2017 and
W.M.P. No.16124 of 2017

rj(co)
aa07/07/2017