

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2017

CORAM :

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 11041 of 2010
and
M.P. No. 2 of 2010

V.Umanath ... Petitioner

Vs.

1. The Sub Registrar of the District
(Co-operative Societies) Housing,
Coimbatore Region,
Coimbatore, Coimbatore District.
2. The Secretary,
V.O.C. Industrial Workers Co-operative
Housing Societies, Sakthi Main Road,
Ganapathy, Coimbatore District.
3. The Sale Officer,
Office of the Sub Registrar Office (Housing),
Coimbatore Region, Coimbatore,
Coimbatore District. ... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, to call for the records of the third respondent pertaining to his auction notice dated 13.04.2010 in the "Thinathanthi" and quash the same.

For Petitioner : Mr.M.Selvam.
For Respondents : Mr.V.Selvaraj,
Additional Government Pleader.
(for R1)
Mr.R.Murali (for R2 & R3)

O R D E R

This Writ petition has been filed seeking to quash the auction notice dated 13.04.2010 in the "Thinathanthi" of the third respondent.

2. The learned counsel appearing for the respondents relying on the counter affidavit filed by the second respondent, submitted that in paragraph No. 16, it has been stated that in the auction conducted by the second respondent society on 19.04.2010, one Thiru. P.Jayaraman was the highest bidder and he has paid the entire auction amount to the society on the same day itself. The present Writ Petition has been filed by the petitioner only on 18.05.2010 pursuant to the confirmation of the auction. Hence, the present Writ Petition has become infructuous.

3. The learned counsel for the petitioner fairly conceded to the submissions made by the learned counsel for the respondent.

4. In view of the above submissions made by the learned counsel for the petitioner as well as the respondent that in the auction conducted, the auction purchaser has paid the entire amount and the sale is confirmed. Hence, nothing survives for adjudication and the Writ Petition is also not maintainable, as per the full bench judgement of this Court in the case of K. MARAPPAN VS. DEPUTY REGISTRAR OF COOPERATIVE SOCIETIES, NAMAKKAL reported in 2006 (4) CTC 689.

5. Therefore, the Writ Petition is dismissed as infructuous. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

सत्यमेव जयते
Sub Asst. Registrar

rkp/avr

To

1. The Sub Registrar of the District
(Co-operative Societies) Housing,
Coimbatore Region,
Coimbatore, Coimbatore District.

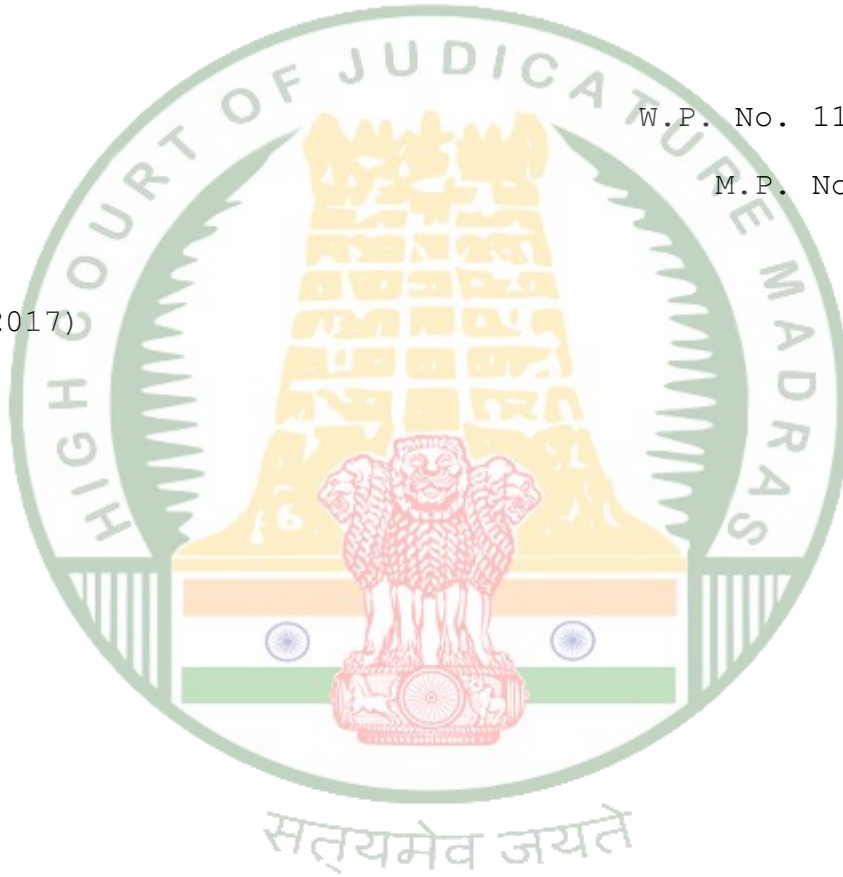
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2. The Secretary,
V.O.C. Industrial Workers Co-operative
Housing Societies, Sakthi Main Road,
Ganapathy, Coimbatore District.
3. The Sale Officer,
Office of the Sub Registrar Office (Housing),
Coimbatore Region, Coimbatore,
Coimbatore District.

+lcc to M/S.R.Murali, Advocate sr. 55309
+lcc to the Government Pleader Sr. 55678

W.P. No. 11041 of 2010
and
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VD(CO)
VR(20/09/2017)



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