

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.7.2017

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.26440 of 2009
and
M.P.No.1 of 2009

AYYATHAL
NO.87 RAJA STREET,
KALLIMADAI COIMBATORE. PETITIONER

Vs.

- 1 THE DEPUTY REGISTRAR OF
CO-OP. SOCIETIES (HOUSING) COIMBATORE
COIMBATORE DISTRICT.
- 2 THE SALE OFFICER
O/O. DEPUTY REGISTRAR OF COOP. SOCIETIES
(HOUSING) COIMBATORE COIMBATORE DIST. ... RESPONDENTS

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, calling for the entire records relating to the impugned order passed by the second respondent in his proceedings dispute No.437/01-02 and E.P.No.519/04-05/Vi dated 13.11.2009 and quash the same.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.V.Selvaraj, A.G.P.

WEB COPY

O R D E R

According to the petitioner, the second respondent herein issued the impugned auction notice, dated 13.11.2009 to brought the petitioner's property for auction stated to be held on 21.12.2009. According to the petitioner, the petitioner made request to settle the loan amount by way of instalments, but inspite of that the respondent issued the impugned auction notice.

2 The learned Additional Government Pleader would submit that the petitioner has stated before this Court that she will pay the arrears of outstanding dues to the society and this Court by order, dated 19.12.2009 granted interim stay on condition that the petitioner has to pay a sum of Rs.20,000/- to the society. In view of the interim order, action was not conducted. Therefore, the petitioner can approach the concerned authority for payment of outstanding loan amount. The learned counsel for the petitioner also agreed to settle the outstanding loan amount by way of instalments.

3 Considering the submissions made by the counsel for the parties and considering the fact that the impugned auction notice was stayed by this Court on the assurance given by the counsel for the petitioner that the petitioner is ready to settle the outstanding loan amount by way of instalments, the petitioner is directed to approach the second respondent if so advised, within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vaan
To

- 1 THE DEPUTY REGISTRAR OF CO-OP.SOCIETIES (HOUSING),
COIMBATORE, COIMBATORE DISTRICT.
- 2 THE SALE OFFICER
O/O. DEPUTY REGISTRAR OF COOP. SOCIETIES
(HOUSING) COIMBATORE.

W.P.No.26440 of 2009
and M.P.No.1 of 2009

SV(CO)
GN(21/08/2017)