

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.08.2017

Coram

The Hon'ble Mr. Justice D. Krishnakumar

W.P.No. 19713 of 2010

and

W.P.M.P.No. 1 of 2010

Mr. Thulasimani

..Petitioner

Versus

1. The Arbitrator /CSR Housing,
AA 182 Erode Co-operative Building Society Ltd.,
Erode-638 003.
2. The Secretary,
AA 182 Erode Co-operative Building Society Ltd.,
Erode-638 003.
3. The Deputy Registrar, (Housing)
Salem Region, Salem.
4. The Special Tribunal,
For Co-operative cases,
(Principal District Court)
Erode.

..Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus calling for the records pertaining to the proceedings dated 07.12.2007 made in I.A.No.224 of 2006 in unnumbered CMACFR.No.7003/2006, passed by the Special Tribunal for Co-operative cases, Erode and the consequential auction sale notice dated 16.07.2010 made in E.P.No.47/05-06 in A.R.C.No.138/04/-05 in Form No.IX passed by the 3rd respondent herein, quash the same and consequently direct the Special Tribunal for Co-operative cases (Principal District Court), Erode to entertain the appeal in CMACFR No.7003/2006 and decide the same on merits.

For petitioner : Mr. N. Manokaran

For respondents: Mr. L.P. Shanmuga Sundaram
For R1 to R3

O R D E R

The learned Special Government Pleader placed a copy of the letter dated 02.08.2017 issued by the Secretary, Erode Co-operative Building Society Ltd., Erode, addressed to the Deputy Registrar, Salem, stating that the petitioner, Thulasimani has settled the entire outstanding amount to the society and the original documents has been returned to the aforesaid Thulasimani on 23.01.2013. In view of the said letter, nothing survives for adjudication and hence the writ petition may be dismissed as infructuous.

2. Recording the submission of the learned Special Government Pleader, the writ petition is dismissed as infructuous. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

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EV(CO)
GN(08/09/2017)