



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P (MD) Nos.3413 and 3414 of 2017
and

W.M.P (MD) Nos.2776 and 2777 of 2017

Vijaya Chandrika
Perumal Naidu

... Petitioner in W.P.3413/2017
... Petitioner in W.P.3414/2017

vs.

1)The Deputy Registrar,
O/o. Deputy Registrar of Cooperative Societies,
Sarangapani Sannithi Street,
Kumbakonam Taluk,
Thanjavur District.

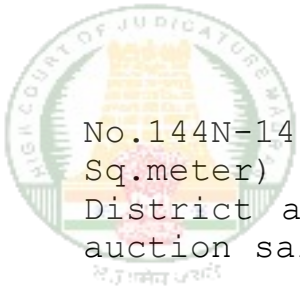
2)The President,
Z.314, Devarayanpettai,
Primary Agricultural Cooperative Credit Society,
Ponnanmeintha Nallur,
Papanasam Taluk,
Thanjavur District.

3)The Sub Registrar of Cooperative Societies/Sale Officer,
Z.314, Devarayanpettai,
Primary Agricultural Cooperative Credit Society,
Papanasam Taluk,
Thanjavur District.

... Respondents in both WPs

Prayer in W.P.3413/2017 : Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, directing to call for records of the proceedings of the 3rd respondent with respect to auction sale notice dated 07.02.2017 thereby bringing the petitioner's property in Survey No.435/12A bearing Door No.4/119, Shop No.3, situated at Ahamed Nagar, Melakabishthalam Village, Papanasam Taluk, Thanjavur District an extent of 278.72 sq.ft for public auction sale scheduled on 28.02.2017 and quash the same.

Prayer in W.P.3414/2017 : Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, directing to call for records of the proceedings of the 3rd respondent with respect to auction sale notice dated 07.02.2017 thereby bringing the petitioner's property in Survey



No.144N-14 Natham measuring an extent of 0.04.61 hectares (461 Sq.meter) situated at Papanasam Village & Taluk, Thanjavur District an extent of 0.04.61 hectares (461 Sq.meter) for public auction sale scheduled on 28.02.2017 and quash the same.

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For Petitioner(in both Wps) : Mr.N.R.Balaji
For R1 & R3(in both WPs) : Mr.A.K.Baskarapandian
Special Government Pleader
For R2 (in both Wps) : Mr.M.Rajarajan
Government Advocate

COMMON ORDER

W.P(MD)No.3413/2017 has been filed for issuance of a Writ of Certiorari, to call for records of the proceedings of the 3rd respondent with respect to auction sale notice dated 07.02.2017 bringing the petitioner's property in Survey No.435/12A bearing Door No.4/119, Shop No.3, situated at Ahamed Nagar, Melakabishthalam Village, Papanasam Taluk, Thanjavur District an extent of 278.72 sq.ft, for public auction sale scheduled on 28.02.2017 and quash the same.

2.W.P(MD)No.3414/2017 has been filed for issuance of a Writ of Certiorari, to call for records of the proceedings of the 3rd respondent with respect to auction sale notice dated 07.02.2017, bringing the petitioner's property in Survey No.144N-14 Natham measuring an extent of 0.04.61 hectares (461 Sq.meter) situated at Papanasam Village & Taluk, Thanjavur District an extent of 0.04.61 hectares (461 Sq.meter) for public auction sale scheduled on 28.02.2017 and quash the same.

3.From the reading of the impugned orders, it is clear that they are only show cause notices asking the petitioners to pay the amount on or before 28.02.2017. Hence, it is open to the petitioners to file their objections to the show cause notices to the respondents and if any coercive steps are taken, it is open to the petitioners to question the same in accordance with law.

Accordingly, these Writ Petitions are disposed of. No costs. Consequently, W.M.P(MD)Nos.2776 and 2777 of 2017 are closed.

Sd/-
Assistant Registrar[C]

/True copy/

Sub Assistant Registrar



To

1) The Deputy Registrar,
O/o. Deputy Registrar of Cooperative Societies,
Sarangapani Sannithi Street,
Kumbakonam Taluk,
Thanjavur District.

2) The Sub Registrar of Cooperative Societies/Sale Officer,
Z.314, Devarayanpettai,
Primary Agricultural Cooperative Credit Society,
Papanasam Taluk, Thanjavur District.

+1 cc to Special Government pleader, SR.No.11157

W.P (MD) Nos.3413 and 3414 of 2017
27.02.2017

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