

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.06.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.29385 of 2017

and

WMP.Nos.31660 & 34510 of 2017

P.Thangavel

..Petitioner

vs

1.State of Tamil Nadu,
Rep. by its Secretary to Government,
Housing Unit and Urban Development Department,
Fort St.George,
Chennai - 600 009

2.The Registrar of the District (Housing),
Salem Region,
Salem

3.The Deputy Registrar of
Co-operative (Housing) Society,
Salem Region,
Salem - 636 011

4. The Secretary,
Co-operative Building Society,
Kalingarayanpalayampudur,
Bhavani, Erode

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the entire records connected with the proceedings of the impugned auction notice issued by the second respondent dated 11.07.2017 quash the same and consequently direct the respondents to waive the penal and other interest imposed on the Petitioner and enable him to repay the loan amount providing him reasonable time interval.

For Petitioner	:	Mr.K.Thilageswaran
For RR 1 & 2	:	Mr.A.Rajaperumal, Additional Government Pleader
For RR 3 & 4	:	Mr.L.P.Shanmugasundaram Special Government Pleader (Co-operatives)

O R D E R

The learned counsel appearing on behalf of the writ petitioner fairly made a submission that the respondents have now initiated A.R.C. proceedings under Section 90 of the Tamil Nadu Cooperative Societies Act. Against the order passed under Section 90 of the Act, an appeal lies before the Cooperative Tribunal under Section 152 of the Tamil Nadu Cooperative Societies Act.

2. This being the factum of the case, the writ petitioner is at liberty to prefer an appeal under Section 152 of the Tamil Nadu Cooperative Societies Act in the manner prescribed.

3. Accordingly, the writ petition stands closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary to Government,
The State of Tamil Nadu
Housing Unit and Urban Development Department,
Fort St.George,
Chennai - 600 009
 - 2.The Registrar of the District (Housing),
Salem Region,
Salem
 - 3.The Deputy Registrar of
Co-operative (Housing) Society,
Salem Region,
Salem - 636 011
 4. The Secretary,
Co-operative Building Society,
Kalingarayanpalayampudur,
Bhavani, Erode.
- + 1 cc to Mr.L.P.Shanmugasundaram, Advocate Sr.37193
+ 1 cc to Government Pleader Sr.37193

W.P.No.29385 of 2017

KS(CO)

EU(25/06/2018)