

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2018

C O R A M

THE HON'BLE Mr.JUSTICE P.D.AUDIKESSAVALU

W.P.No.5764 OF 2004

and

WPMP No.6744 of 2004

E.Chitra Rasan

..Petitioner

vs

- 1.The Karthikeyapuram,
Co-operative Building Society Ltd.,
Rep. by its Secretary,
J.J.846, No.448/1, 2nd Cross Street,
Kartikeyapuram, Madipakkam,
Chennai-91.
- 2.The Co-operative Sub-Registrar (Housing),
Arbitrator, Tambaram.
- 3.The Auction Officer,
Co-operative Sub Registrar (Housing),
Tambaram.

...Respondents

Prayer:Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus to call for the records of the first respondent's file in Loan No.929 and the award passed without notice to the petitioner by the second respondent in A.R.C.No.1288/02-03 dt.27.12.2003 and it's consequential proceedings of the third respondent as illegal, incompetent and without jurisdiction with a direction to receive dues by the petitioner to the first respondent in an instalment basis to stop the proposed auction sale of the petitioner's property.

For petitioner : Mr.A.Tamilarasan

For Respondents : Ms.T.Girija for R1
Mr.L.P.Shanmugasundaram for R2&R3
Special Government Pleader (Co-op)

O R D E R

The writ petition challenges the award dated 27.12.2003 passed by the second respondent and consequential proceedings of the third respondent confirming the same.

2. Heard Mr.A.Tamilarasan, learned counsel for the petitioner, Ms.T.Girija, learned counsel for the first respondent and Mr.L.P.Shanmugasundaram, learned counsel for the second and third respondents.

3.An affidavit dated 16.07.2018 has been filed by the first respondent stating that after filing of the writ petition, the petitioner has remitted the entire sum of Rs.5,74,485/- in full satisfaction of the award and in pursuance of the said payment, the mortgage deed was cancelled before the Sub Registrar, Pallavaram on 12.07.2008 and hence, nothing survives for further adjudication in this writ petition. Recording the same, the writ petition is disposed of. No costs. The connected miscellaneous petition is closed.

vri

Sd/--

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

To

- 1.The Karthikeyapuram,
Co-operative Building Society Ltd.,
Rep. by its Secretary,
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Kartikeyapuram, Madipakkam,
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- 2.The Co-operative Sub-Registrar (Housing),
Arbitrator, Tambaram.
- 3.The Auction Officer,
Co-operative Sub Registrar (Housing),
Tambaram.

+1 cc to Mr.A.Tamilarasan Advocate SR.NO.46847
+1 cc to Government Pleader SR.NO.48087

W.P.No.5764 of 2004

KS (CO)
ASK (03/08/2018)



सत्यमेव जयते

17.07.2018

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