

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 28.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.11842 of 2017 and
WMP No.12785 of 2017
(Heard through Video conferencing)

K.Chinnathambi ... Petitioner

Vs.

1. The Secretary to Government,
Housing and Urban Development Department,
Fort St. George,
Chennai 600 009.
2. The Registrar,
Co-operative Societies (Housing)
Tamil Nadu Housing Board Buildings,
No.493, Anna Salai, Nandanam,
Chennai - 600 035.
3. The Special Officer,
Co-operative Societies (Housing)
No.48, Ritherton Road,
Vepery, Chennai - 600 007.
4. The Registrar of the District and
Deputy Registrar (Housing)
Salem Region, Salem -4.
5. The Nedunchalai Nagar Co-operative,
House Building Society Limited SLM/HSG-18,
Rep. by it's Secretary,
Thiruvagoundanoor Bypass,
Salem-5.

... Respondents

Writ petition filed under Section 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the 4th respondent in his proceedings No.C.E.P.No.36/03-04 dated 21.12.2004 confirming the order of sale and certificate of sale passed under Rule 129 of the Tamil nadu Co-operative Societies Rules 1988 and quash the same and consequently direct the 1st respondent to permit the petitioner

to pay the loan amount due in instalments after extending the benefit of waiving interest on defaulted EMI and penal interest.

For petitioner : Mr.P.Rathanavel

For Respondents : Mr.L.P.Shanmugasundaram,
Additional Government Pleader
(Co-op)

O R D E R

This Writ Petition is filed to quash the proceedings No.C.E.P.No.36/03-04 dated 21.12.2004, passed by the 4th respondent, confirming the order of sale and certificate of sale, passed under Rule 129 of the Tamil nadu Co-operative Societies Rules 1988 and for a consequential direction to the 1st respondent to permit the petitioner to pay the loan amount due, in instalments, after extending the benefit of waiving interest on defaulted EMI and penal interest.

2. When the matter is taken up for hearing, the learned counsel appearing for the petitioner seeks permission of this Court to withdraw the Writ Petition and he has also filed a memo dated 07.12.2020, to that effect.

3. In view of the Memo dated 07.12.2020 and the submission made by the learned counsel for the petitioner, the Writ Petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

vum
To

1. The Secretary to Government,
Housing and Urban Development Department,
Fort St. George,
Chennai 600 009.
2. The Registrar,
Co-operative Societies (Housing)
Tamil Nadu Housing Board Buildings,
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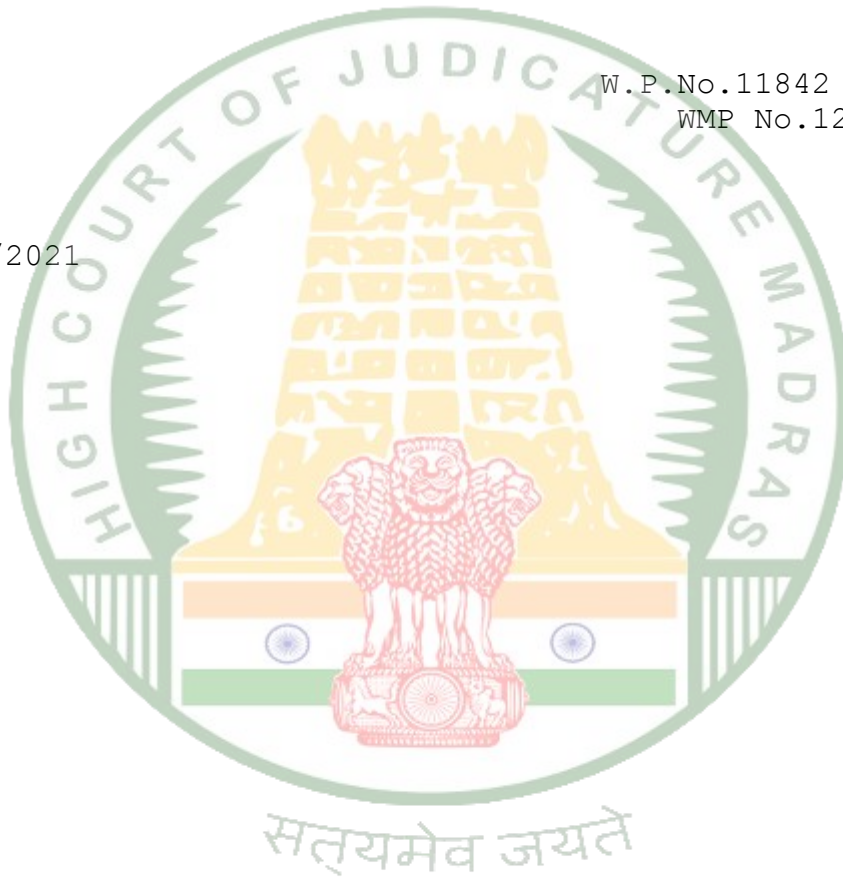
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Salem Region, Salem -4.

+lcc to the Government Pleader Sr.26331

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ssi[co]
srg 05/07/2021



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