



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.05.2022

CORAM :

THE HON'BLE MR. JUSTICE R. MAHADEVAN

W.P.No.12056 of 2022

and

W.M.P.No.11484 of 2022

A.Jayanthi

...Petitioner / Petitioner

Vs

1.The Deputy Registrar (Credit),
Co-operative Societies Deputy Registrar Office,
2nd Floor, Kuralagam,
Chennai 600 108.

2.The Managing Director,
The Vellala Teynampet Co-operative Credit Society Ltd.,
No.34/93, Ellaiamman Colony First Street,
Vellala Teynampet,
Chennai 600 086.

...Respondents / Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus forbearing the respondents their subordinates, men, agents, servants or any one on their behalf from initiating proceedings for attachment of the Petitioner's property bearing Plot No.52, Sakthivel Nagar, Thirumullaivoyal, Chennai 600 062 comprised in Survey Nos.551/3 Part and 551/4 part Thirumullaivoyal Village based on the surcharge order against the Petitioner's husband.

For Petitioner : Dr.S.S.Swaminathan

For Respondents : Mrs.Anitha
Special Government Pleader

ORDER

The relief sought in this writ petition is to issue a writ of mandamus forbearing the respondents from initiating the attachment proceedings in respect of the Petitioner's property bearing Plot No.52, Sakthivel Nagar, Thirumullaivoyal, Chennai 600 062 comprised in Survey Nos.551/3 Part and 551/4 part Thirumullaivoyal Village, based on the surcharge order against the Petitioner's husband.



2. According to the learned counsel for the petitioner, the subject property is the self acquired property of the petitioner, however, the first respondent, without ascertaining the actual ownership of the same and without affording any opportunity to the petitioner, has initiated the attachment proceedings in respect of the subject property, pursuant to the surcharge order passed against the petitioner's husband. Therefore, this writ petition.

3. On the other hand, the learned Special Government Pleader taking notice for the respondents fairly submitted that the authorities will proceed against the petitioner's husband based on the surcharge proceedings.

4. Recording the aforesaid statement made on the side of the respondents, the writ petition stands closed, as there is no requirement to proceed further herein. Consequently, the connected miscellaneous petition is also closed. No costs.

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

hvk/dm

To

1. The Deputy Registrar (Credit),
Co-operative Societies Deputy Registrar Office,
2nd Floor, Kuralagam,
Chennai 600 108.

2. The Managing Director,
The Vellala Teynampet Co-operative Credit Society Ltd.,
No.34/93, Ellaiamman Colony First Street,
Vellala Teynampet,
Chennai 600 086.

+1cc to Mr.S.S.Swaminathan, Advocate Sr.No.31152

+1cc to the Government Pleader Sr.No.31265

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NR(CO)
RVM(18/05/2022)