



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.5243 of 2022

and

W.M.P. (MD) No.4269 of 2022

WEB COPY

B.C.Jeyakumar

... Petitioner

Vs.

- 1.The Joint Registrar of Cooperative Societies,
Ramanathapuram Region,
Ramanathapuram District.
- 2.The Deputy Registrar of Cooperative Societies,
Office of the Deputy Registrar of Cooperative Societies,
Ramanad.
- 3.The Joint Registrar / Managing Director,
Ramnad District Central Cooperative Bank,
Ramanathapuram District.
- 4.The Sub Registrar,
Aruppukottai,
Virudhunagar District.

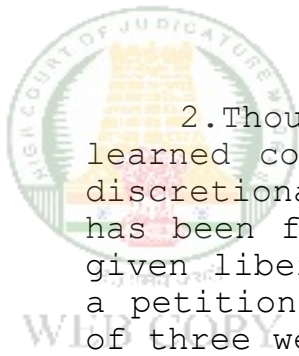
... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings issued by the 2nd respondent dated 08.09.2017 vide Ni.Ma No.2/2017-2018 (na ka) 2118/2017 Sa Pa and quash the same and consequently direct the respondents to remove the entry made in the Encumbrance Registrar in respect of house property of the petitioner comprised in S.No.160/1A 1A 1A 1A situated at Palayampatti Village, Aruppukottai Taluk Sub Registration Office, Virudhunagar District of an extent of 1480 sq ft within the time stipulated by this Court.

For Petitioner : Mr.C.Jeganathan
For Respondents : Mr.M.Senthil Ayyanar,
Government Advocate for R1 & R2
Mr.D.Shanmugaraja Sethupathi for R3
Mr.S.Shanmugavel,
Additional Government Pleader for R4

ORDER

Heard the learned counsel on either side.



2.Though I do find substantial merit in the contention of the learned counsel for the writ petitioner, I decline to exercise my discretionary jurisdiction only on the ground that the writ petition has been filed after a gap of almost five years. The petitioner is given liberty to apply for raising the attachment. As and when such a petition is filed, the same shall be disposed of within a period of three weeks thereafter.

3.With this liberty to the petitioner and direction to the authority concerned, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL SIDE)

// True Copy //

16/06/2022

Sub Assistant Registrar(CS)

To:

- 1.The Joint Registrar of Cooperative Societies,
Ramanathapuram Region,
Ramanathapuram District.
- 2.The Deputy Registrar of Cooperative Societies,
Office of the Deputy Registrar of Cooperative Societies,
Ramanad.
- 3.The Sub Registrar,
Aruppukottai,
Virudhunagar District.

+1 CC to M/s.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-26023[F] dated 16/06/2022)

+1 CC to M/s.SPL.GP (SR-26145[F] dated 16/06/2022)

W.P (MD)No.5243 of 2022
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RS (16.06.2022) 2P-6C