



W.P(MD)No.27979 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2797 of 2022

and

W.M.P.(MD)Nos.22055 & 22057 of 2022

A.C.Thirumoorthy

... Petitioner

Vs.

The Deputy Registrar of Co-operative Societies,
Office of the Deputy Registrar of Cooperative Societies,
Karur District,
Karur.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records in connection with the impugned attachment order before judgement passed by the respondent in his proceedings in CEP No.1 of 2018 NIMA dated 22.11.2018 and quash the same.

For Petitioner : Mr.K.Gurunathan

For Respondent : Mr.A.Baskaran
Additional Government Pleader



W.P(MD)No.27979 of 2022

ORDER

Heard the learned counsel on either side.

2. The petitioner challenges the impugned order of attachment passed by the respondent.

3. At the time of admission, the learned counsel for the petitioner submitted that he will be satisfied if the respondent is restrained from bringing the attached property to auction till the disposal of C.M.A filed by the petitioner herein.

4. No exception can be taken to the said request. While the order of attachment will continue to hold good, the respondent shall not bring the property to sale till the surcharge proceedings attained finality. In other words, till the disposal of C.M.A filed by the petitioner herein before the Co-operative Tribunal, the respondent shall not proceed against the attached property.

5. The Writ Petition is disposed of subject to the aforesaid restraint order.

No costs. Consequently, connected miscellaneous petitions are closed.-

13.12.2022

Index : Yes / No
Internet : Yes/ No
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W.P(MD)No.27979 of 2022

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To
The Deputy Registrar of Co-operative Societies,
Office of the Deputy Registrar of Cooperative Societies,
Karur District,
Karur.



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G.R.SWAMINATHAN, J.

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