



W.P.No.29982 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2023

CORAM :

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE P. B.BALAJI

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K.Murugasamy

... Petitioner

Vs.

1. The Deputy Registrar of Cooperative Societies,
Tiruppur Circle, 377, Kamarajar Salai,
Palladam Road, Tiruppur 641 604.
Tiruppur District.

2. The Sale Officer/The Cooperative Sub Registrar/
Field Officer, Avinashi,
Tiruppur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking to issue a writ of Certiorarified Mandamus, calling for the entire records relating to the impugned proceedings passed by the first respondent in his proceedings Thanda Theervai No.3/2007 Sa.pa.1 dated 05.08.2008 along with his execution proceedings in E.P.No.6/2014-2015 in Tha.Thee.No.3/2007 dated 25.06.2015 and the consequential order of attachment and sale of properties passed by the second respondent in her proceedings in E.P.No.6/2014-2015 in Tha.Thee No.3/2007 dated



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14.09.2015 in Form No.8 7 9, and quash the same and consequently direct the third respondent to refund the excess amount deposited in connection with the surcharge proceedings with interest.

For Petitioner : No appearance
For first respondents : Mrs.R.L.Karthika,
Government Advocate for R1 and R2
Mr.R.Bala Ramesh for R3

ORDER

(Judgment of the Court was delivered by D.KRISHNAKUMAR, J.)

This matter is de-linked from W.A.No.933 of 2012 and W.P.No. 3562 of 2016.

2. When this writ petition is listed along with the above said matters for hearing, no representation on behalf of the petitioner. However, the learned counsel for the petitioner has filed a memo dated 30.08.2023 before the Registry and it was placed in the bundle.



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4. In the above said memo, the learned counsel for the petitioner submitted that, on coming to know about the death of the petitioner, namely K.Murugasamy, he contacted his son Mr.Anand to furnish the copies of the death certificate and legal heirship certificate. He further submitted that, despite receipt of the letter dated 11.08.2023 sent by him to the son of K.Murugasamy, there is no instruction for him to appear in this case. Therefore, he seeks to record that there is no instruction from the legal heirs of the deceased petitioner. To that effect, he has also placed the copy of the letter dated 11.08.2023 and the acknowledgment card, along with the above said memo.

3. Recording the above, this writ petition is dismissed as abated. No costs.

(D.K.K.J.)

(P.B.B.J.)

31.08.2023

Internet: Yes/No

Index : Yes/No

mst

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To
WEB COPY

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Tiruppur Circle, 377, Kamarajar Salai,
Palladam Road, Tiruppur 641 604, Tiruppur District.
2. The Sale Officer/The Cooperative Sub Registrar/
Field Officer, Avinashi, Tiruppur District.



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D.KRISHNAKUMAR, J.

and

P. B.BALAJI, J.

mst

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