



WEB COPY



W.P.No.11345 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.11345 of 2023
and W.M.P.Nos.11244 and 20021 of 2023

Srivalli

... Petitioner

vs.

1.The Joint Registrar of Co-operative Societies,
Tiruppur District,
Tiruppur.

2.The Deputy Registrar of Co-operative Societies,
Tiruppur District,
Tiruppur.

3.The Secretary,
K-1619, Sevur Primary Agricultural
Co-operative Credit Society,
Sevur Post,
Avinashi Taluk,
Tiruppur District.

4.The Assistant Secretary,
K-1619, Sevur Primary Agricultural
Co-operative Credit Society,
Sevur Post,
Avinashi Taluk,
Tiruppur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the



W.P.No.11345 of 2023

impugned Auction Notice dated 28.02.2023 made in Execution Petition No.06/2020-21/Sa.Pa.2 issued by the 2nd Respondent and to quash the same.

For Petitioner : Mr.C.Prabakaran

For R1 and R2 : Mr.P.Anandhakumar
Government Advocate

For R3 and R4 : Mr.K.Surendran

ORDER

The writ petition is filed challenging the auction notice issued by the 2nd respondent.

2. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner is ready to pay the outstanding amount to the 3rd respondent within a period of four weeks from today.

3. The learned Government Advocate appearing for the respondents 1 and 2 by taking this Court to the counter affidavit filed by the 3rd respondent, submitted that as on 28.04.2023 a sum of Rs.5,17,099/- was due from the petitioner and together with interest as on today, a sum of Rs.5,47,722/- is due from the petitioner.



W.P.No.11345 of 2023

4. In view of the same, the petitioner is directed to pay a sum of Rs.5,47,722/- to the 3rd respondent within a period of four weeks from today. On such payment, the impugned auction notice stands automatically set aside and the 3rd respondent shall take steps to hand over the documents deposited by the petitioner and other formalities to issue certificate evidencing the discharge of the loan amount. In case, the petitioner failed to pay the amount as indicated above, the 2nd respondent is at liberty to proceed further in pursuance of the auction notice impugned in this writ petition.

5. With these directions, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

29.08.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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To



W.P.No.11345 of 2023

S.SOUNTHAR, J.

dm

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W.P.No.11345 of 2023

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