



W.P(MD)No.5180 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.5180 of 2018
and W.M.P(MD).No.5171 of 2018

Mangathal

.. Petitioner

Vs

1.The Registrar of Co-operative Societies,
Keelpakkam, Chennai.

2.The Deputy Registrar of Co-operative Societies,
No.11/223, Raja Nagar,
Lakshmipuram Extension,
Palani Circle, Dindigul District.

3.The President,
A.P-4 Palani Circle Cooperative Employees
Cooperative Thrift and Credit Society Ltd.,
Chithra Complex, 17, Rajendra Road,
Palani, Dindigul District.

4.Mangalasamy

.. Respondents

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 from the



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second respondent in his proceedings in E.P.No.45/2010-2011 dated 21.02.2018 and quash the same.

For Petitioner : Mr.N.Sathish Babu

For R1 to R3 : Mr.A.Kannan
Additional Government Pleader

ORDER

This writ petition has been filed to quash the proceedings of the second respondent in E.P.No.45/2010-2011 dated 21.02.2018, in and by which, the petitioner has been directed to pay a sum of Rs.2,75,239.70/-, failing which, the property described in the schedule therein is liable to be brought to auction.

2. It is the contention of the petitioner that the amount is demanded from the petitioner for an outstanding dues of her brother, who has been arrayed as fourth respondent herein and who was the former Secretary of the third respondent society. Further, the petitioner would submit that she is in no way connected to the alleged amount dues from the fourth respondent to the society. The property in question had been gifted to the petitioner by her father under registered deed dated 11.01.2010. Hence, she seeks to quash the impugned notice.



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3. Heard the learned counsel on either side and perused the materials on record.

3. Considering the fact that the amounts are not due from the petitioner and taking note of the fact that the property in respect of the auction notice dated 21.02.2018 belongs only to the petitioner and not to the fourth respondent, the impugned order is quashed and attachment, if any, shall be released. Accordingly, this Writ Petition is allowed. If any amounts are due from the fourth respondent, the respondents 1 to 3 have to claim the same from the fourth respondent or his property and not from the petitioner or her property as they are in no way connected with the same. No costs. Consequently, connected Miscellaneous Petition is closed.

14.11.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
Rmk



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P.T.ASHA, J.

Rmk

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