



W.P.(MD)No.29429 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD)No.29429 of 2025

and

W.M.P(MD)No.22748 of 2025

M.Murugesan

.. Petitioner

Vs.

1.Deputy Registrar of Co-Operative Societies,
Paramakudi,
Ramanathapuram District.

2.N.N.406 P.Kodikulam Primary Agriculture
Co-Operative Credit Society,
Rep. by its Administrator,
Mathavan Nagar, Paramakudi,
Ramanathapuram District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, to call for the records in connection with the impugned demand cum auction notice issued by the 1st respondent in his proceedings nil. dated 19.09.2025 (served on 29.09.2025) and quash the same.



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For Petitioner : Mr.K.Gurunathan

For Respondents : Mr.A.Kannan
Additional Government Pleader

ORDER

This writ petition has been filed for the following relief :

“to call for the records in connection with the impugned demand cum auction notice issued by the 1st respondent in his proceedings nil. dated 19.09.2025 (served on 29.09.2025) and quash the same.”

2. In Paragraph No.11 of the affidavit, the petitioner has stated as follows :

“... I am not going to alienate my property. Moreover, if I succeed in the surcharge appeal pending before the Court below, by way of impugned notice if my property is sold, no doubt I will be put into irreparable loss and mental agony which cannot be compensated by any means and one the scheduled property is the residential house where we are living...”



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3. Admittedly, the appeal is pending and till such time as decision is arrived at in the appeal, the demand cannot be raised as the proceedings are yet to attain finality. Therefore, the impugned order is set aside and it is made clear that the petitioner has undertaken not to alienate the property till the disposal of the proceedings. In addition, this Court directs that the petitioner shall not lease, mortgage or create any other encumbrance till the disposal of the proceedings.

4. With the above directions, this Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

17.11.2025

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

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To

1. Deputy Registrar of Co-Operative Societies,
Paramakudi,
Ramanathapuram District.



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P.T.ASHA, J.

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2.The Administrator,
N.N.406 P.Kodikulam Primary Agriculture
Co-Operative Credit Society,
Mathavan Nagar, Paramakudi,
Ramanathapuram District.

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