



W.P.(MD).No.4312 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.4312 of 2026

and

W.M.P(MD).No.3589 of 2026

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... Petitioner

Vs.

1.The Deputy Registrar of Co-operative Societies,
Palace Road,
Thuckalay Post,
Kalkulam Taluk,
Kanyakumari District – 629175.

2.Sale Officer / C.S.R., Munchirai,
O/o. Deputy Registrar of Co-operative Societies,
Palace Road,
Thuckalay Post,
Kalkulam Taluk,
Kanyakumari District – 629175.

3.1022, Methukummal Primary Agricultura,
Co-operative Credit Society Ltd.,
Rep. by its Administrator,
Sooriyacode and Post,
Killiyoor Taluk,
Kanyakumari District.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned sale notice issued by the second respondent dated 30.12.2025 and quash the same as illegal, and further direct the first respondent to raise attachment passed in CEP.1/91-92 and 57/91-92 dated 02.03.1991 in respect of 00.8.5 Are land and buildings thereon with door Nos. 18-35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48 in Re-survey No.419/7 of Kaliyakkavilai Revenue Village (formerly Vilavancode Revenue Village) in Vilavancode Taluk of Kanyakumari District and quash the same.

For Petitioner : Mr.V.H.S.Prathap

For R1 : M/s.D.Farjana Ghoushia,
Special Government Pleader

ORDER

The present writ petition has been filed challenging the sale notice issued by the second respondent pursuant to the surcharge order passed against the father of the writ petitioner.

2. The petitioner, along with other family members, had earlier filed W.P.(MD).No.1989 of 2009 before this Court challenging a sale auction notice, and the said writ petition was dismissed as not maintainable. Thereafter, another sale notice was challenged by the petitioner and two others in W.P.(MD).No.11314 of 2023, which was disposed of granting



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liberty to the petitioners to work out their remedy in C.M.A.(CS).No.10 of 2023 pending on the file of the Co-operative Tribunal (Principal District Court), Kanyakumari at Nagercoil. Yet another writ petition in W.P.(MD).No. 10557 of 2015 challenging the auction notice was dismissed as withdrawn on 31.08.2023.

3. In view of the previous proceedings, this Court is not inclined to entertain the present writ petition seeking to quash the sale notice.

4. The learned counsel for the petitioner submitted that at the time when the surcharge order was passed, the petitioner was a minor and that the property in question is an ancestral property in which he has a share. In such circumstances, it is open to the petitioner to invoke Rule 135 of the Tamil Nadu Co-operative Societies Rules, 1988, by making an appropriate claim over the property.

5. The learned counsel further submitted that the petitioner has already presented an application under Rule 135 on 16.02.2026 before the second respondent. Therefore, the second respondent is directed to consider the said



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application and pass appropriate orders within a period of six (6) weeks from the date of receipt of a copy of this order.

6. With the above observations, this writ petition stands disposed of.

No costs. Consequently, the connected miscellaneous petition is closed.

19.02.2026

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

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To

1.The Deputy Registrar of Co-operative Societies,
Palace Road, Thuckalay Post,
Kalkulam Taluk,
Kanyakumari District – 629175.

2.Sale Officer / C.S.R., Munchirai,
O/o. Deputy Registrar of Co-operative Societies,
Palace Road,
Thuckalay Post,
Kalkulam Taluk,
Kanyakumari District – 629175.

3.The Administrator,
1022, Methukummal Primary Agricultura,
Co-operative Credit Society Ltd.,
Sooriyacode and Post,
Killiyoor Taluk,
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R.VIJAYAKUMAR,J.

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