



WP(MD). No.24437 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 09/03/2026

CORAM

THE HON'BLE MR. JUSTICE HEMANT CHANDANGOUDAR

WP(MD). No.24437 of 2022
and WMP(MD)Nos.18527 of 2022 and 3496 of 2023

Vijayan S.S.N

... Petitioner

Vs.

1. The District Registrar,
Co-Operative Societies,
Tenkasi District.

2. The Deputy Registrar,
Co-Operative Societies,
Mudukku Vinayakar Kovil Street,
(Temple Tower, III Floor),
Tenkasi District.

3. The Secretary,
0.1902 Alangulam,
Primary Agricultural Co-Operative Society,
Alangulam, Tenkasi.

... Respondents

PRAYER:-Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari or any other appropriate writ, order or direction in the nature of writ calling for the record pertaining to Ne.Ma.No.5/2018-19 dated 07.10.2022 passed by the 1st respondent and quash the same as illegal and void.



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For Petitioner : M/s. Selvam. D.
For R1 & R2 : Mr.S.S.Madhavan,
Additional Government Pleader
For R3 : Mr.M.P.Vasantharam

ORDER

The petitioner challenges the sale notice dated 07.10.2022 issued by the first respondent.

2. It is not in dispute that the petitioner had defaulted in repayment of the loan, pursuant to which surcharge proceedings were initiated. Consequent to the said proceedings, an auction sale notice came to be issued in respect of the outstanding loan amount. This Court, at the time of admission, granted an interim stay of the sale notice on the condition that the petitioner shall deposit a sum of Rs.25,000/- to the third respondent Society. The petitioner has complied with the said condition.

3. In the meanwhile, the petitioner preferred a Civil Miscellaneous Appeal in CMA (CS) No.6 of 2021 before the Principal District Court (Special Court for Co-operative Tribunal Cases), Tirunelveli, challenging the demand notice. However, the



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said appeal was dismissed for default on 03.08.2022.

Consequently, the order passed by the third respondent has attained finality.

4. The learned counsel appearing for the third respondent submitted that, as on date, a sum of Rs.72,94,535/- remains due and payable by the petitioner. It was further submitted that, in any event, the sale notice dated 07.10.2022 has become infructuous by efflux of time and no longer survives.

5. In view of the above developments, this Court is of the opinion that the relief sought for in the present writ petition has become infructuous and does not survive for consideration.

6. Accordingly, the writ petition stands closed. No costs. Consequently, the connected miscellaneous petitions are closed.



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TO

1. The District Registrar,
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HEMANT CHANDANGOUDAR,J

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