
(2011) 02 KL CK 0047

In the High Court Of Kerala

Case No : Writ Petition (C) No. 2810 of 2011 (A)

K. Kelappan

APPELLANT

Vs

The State of Kerala

RESPONDENT

Date of Decision : 01-02-2011

Acts Referred:

Citation : (2011) 02 KL CK 0047

Hon'ble Judges : Antony Dominic, J

Bench : Single Bench

Advocate : C. Valsalan, for the Appellant; No Appearance, for the Respondent

Judgement

Antony Dominic, J.—Petitioner mortgaged 17.5 cents of his property to the fourth Respondent Society for availing of a housing loan. Default was committed. Proceedings were initiated and in ARC No. 540/2006, Ext.P1 award was passed. According to the Petitioner, the revision filed against the award is pending before the Tribunal. Meanwhile, execution proceeded and the property has been sold. According to the Petitioner, this sale was without notice to him and, therefore, the sale is vitiated. It is stated that aggrieved by the same, he has filed Exts.P5 and P6 under Rule 83 of the Kerala Co-operative Societies Rules and these applications are pending consideration of the second Respondent. It is in these circumstances the writ petition is filed.

2. Having regard to the submissions thus made, at this stage, all that is required is that the second Respondent, before whom Exts.P5 and P6 are pending, should consider the same with notice to the parties concerned. This, the second Respondent shall do as expeditiously as possible and at any rate, within six weeks from the date of production of a copy of this judgment along with a copy of the writ petition.

Writ petition is disposed of as above.