

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31/8/2015

C O R A M

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K. SASIDHARAN

Writ Petition No.26236 of 2014

1. M/s. Naihaa Retail P Limited
rep. By its M.D.Mr.Aravind.
2. M/s.NH Baby Care P Limited
rep. By its M.D.Mr.R.Aravind.
3. M/s.NH Lingerie P Limited
rep. By its M.D.Mr.R.Aravind
All having Office at
Rama's Aalayam
T. Nagar
Chennai 600 017. Petitioners

Vs

1. The Authorized Officer
Indian Overseas Bank
Nungambakkam Branch
Nungambakkam
Chennai 600 034.
2. The Assistant General Manager
Indian Overseas Bank
Nungambakkam (0183) Branch
109 Nungambakkam High Road
Chennai 600 034.
3. Dr.Chellakumar
4. M/s. Rathna Fan House Pvt Ltd
rep. By its Director
Mr.K.S.Krishnamurthy
No.8/2 Rajabathar Street
T. Nagar
Chennai 600 017.

5. M/s.Rathna Cools Private Limited
rep. By its Director
K.Vijay
8/2 Rajabathar Street
T. Nagar
Chennai 600 017.

... Respondents

(R.R.4 and 5 - impleaded as per order
dated 10/12/2014 by NPVJ & PRSJ
in M.P.2/14 in W.P.26236/2014.

Petition filed under Article 226 of the Constitution of India
praying for the issuance of a writ of declaration declaring that the
Auction Sale held on 4/8/2014 in favour of the third respondent and
the two extensions made on 18/8/2014 and 8/9/2014 for payment of the
remaining 75% of the sale price after the initial payment made on
4/8/2014 without the consent of the petitioners (Borrowers) in
writing in violation of Rule 9 (4) of the Security Interest
(Enforcement) Rules, 2002 is null and void and liable to be set aside.

For petitioner ...

No appearance

For respondents ...

Mr. F.B.Benjamin George
for R.R.1 and 2.

Mr.M.Venkatachalapathy,
Senior Counsel
for M/s.M.Sriram and
Ramesh Venkatachalapathy
for R.3.

Mr.P.B.Balaji
for R.R.4 and 5.

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O R D E R
(Order of the Court was made by SATISH K. AGNIHOTRI,J.)

When the matter was called in the first round, there was no
representation on behalf of the petitioners. Hence, the matter was
passed over. Again, when the matter was called in the second round,
none appeared on behalf of the petitioners nor was there any
representation made on their behalf. Hence, the writ petition is

dismissed for non-prosecution. No costs. Connected Miscellaneous Petitions are closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

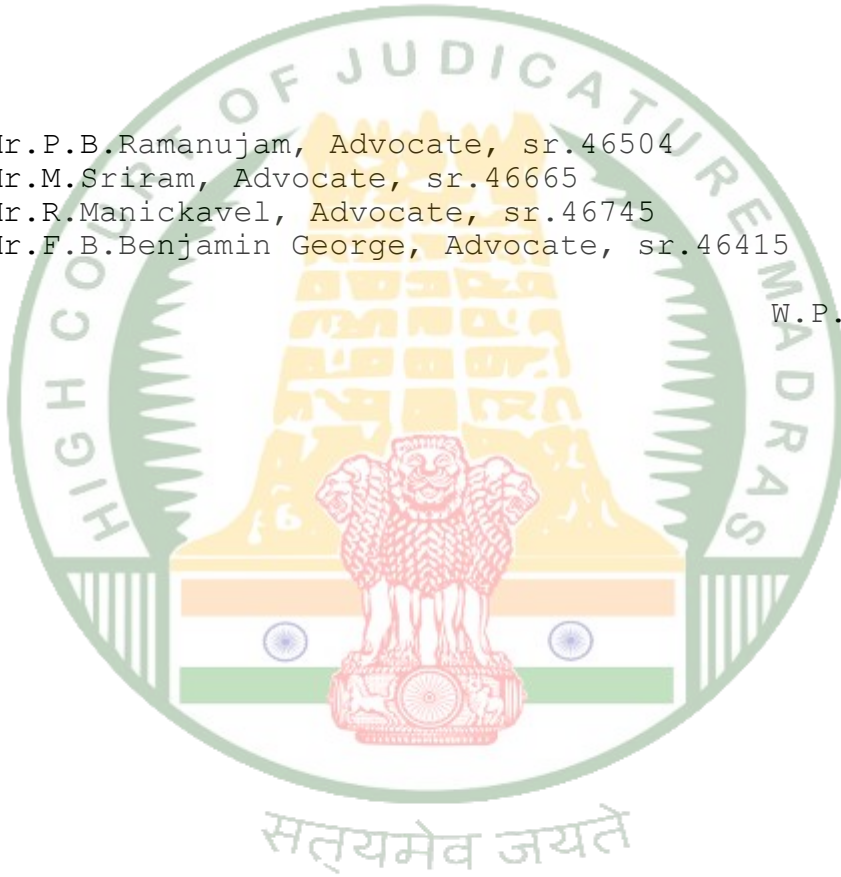
mvs/ra.

To

+1 cc to Mr.P.B.Ramanujam, Advocate, sr.46504
+1 cc to Mr.M.Sriram, Advocate, sr.46665
+1 cc to Mr.R.Manickavel, Advocate, sr.46745
+1 cc to Mr.F.B.Benjamin George, Advocate, sr.46415

W.P.No.26236 of 2014

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