

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.15404 of 2003 &
W.P.M.P.No. 19331 OF 2003

M.KESAVAN

[PETITIONER]

Vs

1 M/S GEORGE TOWN BENEFITS SOCIETY LTD.
NO.40 ADIAPPAN NAICKEN STREET
CHENNAI-600 079.

2 M/S ALWIN & COMPANY
GOVT & PUBLIC AUCTIONERS
REAL ESTATE & HOUSE PROPERTY AGENTS
C.J.COMPLEX 2ND FLOOR
NO.149 THAMBU CHETTY ST.
CHENNAI -600 001.

[RESPONDENTS]

(R2 dismissed as per order dated 12.6.2007)

COMMON PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of Mandamus, to forbear the respondents from bringing the property at No.7/1, New West street, Avvai Nagar, Choolaimedu, Chennai 600 095 in T.S.No.55/3 of Puliyur Village for an extent of 1800 sq.ft. for public Auction Sale.

For Petitioner : No appearance

For Respondents: Mrs.T.P.Savitha -R1
Government Advocate

O R D E R

None appears for the petitioner. Heard Mrs.T.P.Savitha, learned Government Advocate for the first respondent.

2.The petitioner seeks for issuance of a writ of mandamus to forbear the respondents from bringing the property at No.7/1, New West street, Avvai Nagar, Choolaimedu, Chennai 600 095 in T.S.No.55/3 of Puliyur Village for an extent of 1800 sq.ft. for public Auction Sale.

3.At the time when the writ petition was entertained an interim order was granted, subject to the condition that the petitioner deposits a sum of Rupees one lakh, within a period of four weeks from the date of order, failing which the interim order would be vacated. Though the first respondent has entered appearance, no counter affidavit has been filed so far. Further there is nothing to show as to whether the conditional interim order was complied with.

4.In such circumstances, the Writ Petition stands closed, leaving it open to the first respondent to proceed in accordance with law. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rpa

To

1 M/S GEORGE TOWN BENEFITS SOCIETY LTD.
NO.40 ADIAPPAN NAICKEN STREET
CHENNAI-600 079.

+ 1 cc to Mrs. T.P. Savitha, Government Advocate SR.68227

EV(CO)
Eu 7.1.16

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W.P. No.15404 of 2003

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