

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.Nos.27796 to 27798 of 2004

&

W.P.M.P.Nos.72 and 73 of 2015

W.P.No.27796 of 2014

K.P.Rajagopal (Died)

1.Mrs.Dhanabakkiam

2.Mrs.Uma Devi

3.Mrs.Sasikala

(Petitioners 1 to 3 are impleaded
by order this Court dated 20.07.2015)

... Petitioners

vs.

1. The Managing Director
Tamil Nadu Industrial Investment Corporation Ltd.,
(TIIC) 473, Anna Salai
Nandanam
Chennai - 600 035

2. The Branch Manager
Tamil Nadu Industrial Investment Corporation Ltd.,
(Special Recovery Branch)
No.94, Dr.Nanjappa Road
Coimbatore - 641 018

3. Sri kumaran Rollor Floor Mills Ltd., .. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the order of 2nd respondent in TIIC/CBE/RO/2004/05/05 dated 09.09.2004 and published in Daily Thanthi dated 14.09.2004 and quash the same and consequently direct the second respondent to bring the properties of the third respondent for sale.

W.P.No.27797 of 2014
M/s.Sri Rani Lakshmi Traders
Rep. By its partner M.Balasundaram
325-B, P.N.Palayam Road
Opp. LGB Sivasakthi Colony
Ganapathy
Coimbatore - 641 006

... Petitioner

Vs.

1. The Managing Director
Tamil Nadu Industrial Investment Corporation Ltd.,
(TIIC) 473, Anna Salai
Nandanam
Chennai - 600 035
 2. The Branch Manager
Tamil Nadu Industrial Investment Corporation Ltd.,
(Special Recovery Branch)
No.94, Dr.Nanjappa Road
Coimbatore - 641 018
 3. Sri Kumaran Roller Flour Mills Limited'
having its registered office at No.325B
P.N.Palayam Road, Sivasakthi Colony
Ganapathy, Coimbatore - 641 006
- Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the order of 2nd respondent in TIIC/CBE/RO/2004/05/05 dated 09.09.2004 and published in Daily Thanthi dated 14.09.2004 and quash the same and consequently direct the second respondent to bring the properties of the third respondent for sale.

W.P.No.27798 of 2014
Shri Kumaran Roller Flour Mills Limited
having its registered office at No.325B
P.N.Palayam Road, Sivasakthi Colony
Ganapathy, Coimbatore - 641 006

... Petitioner

Vs.

1. The Managing Director
Tamil Nadu Industrial Investment Corporation Ltd.,
(TIIC) 473, Anna Salai
Nandanam
Chennai - 600 035

2. The Branch Manager
Tamil Nadu Industrial Investment Corporation Ltd.,
(Special Recovery Branch)
No.94, Dr.Nanjappa Road
Coimbatore - 641 018

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to place the offer of the petitioner dated 25.08.2004 before the settlement committee and consider the same on merit.

For Petitioners : M/s.S.R.Sundar
For Respondents : Mr.Kalyanaraman
for
M/s.Aiyar and Dolia

COMMON ORDER

The petitioners have filed two petitions in W.P.No.27796 of 2004, wherein they sought for withdrawing the writ petition and also for a direction to the Tamil Nadu Industrial Investment Corporation Ltd to release the title deeds of the property, which is the subject matter of mortgage with Tamil Nadu Industrial Investment Corporation Ltd.

2. The learned standing counsel for the Tamil Nadu Industrial Investment Corporation Ltd., submits that the prayer sought for by the petitioner can be granted and appropriate direction may be issued.

3. The learned counsel for the petitioners submitted that the entire loan amount has been settled as on 19.01.2007, which is admitted by the respondent. The said submission is placed on record.

4. In the light of the above, W.P.No.27796 of 2004 is disposed of with a direction to the Tamil Nadu Industrial Investment Corporation Ltd. to return the title deeds of the property, which has been the subject matter of mortgage, to the petitioners. No costs. Consequently, the connected miscellaneous petitions are closed.

In view of the order passed in W.P.No.27796 of 2004,
W.P.Nos.27797 of 2004 and 27798 of 2004 are closed.

-Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

To

1. The Managing Director
Tamil Nadu Industrial Investment Corporation Ltd.,
(TIIC) 473, Anna Salai
Nandanam
Chennai - 600 035
2. The Branch Manager
Tamil Nadu Industrial Investment Corporation Ltd.,
(Special Recovery Branch)
No.94, Dr.Nanjappa Road
Coimbatore - 641 018

+1cc to Mr.Aiyar &Dolia, Advocate sr.37199

W.P.Nos.27796 to 27798 of 2004 &
W.P.M.P.Nos.72 and 73 of 2015

ca[co]
srg 11.08.2015

सत्यमेव जयते
WEB COPY