

W.M.P.No.1160 OF 2016
IN
W.P.No.9310 OF 2015

T.S.SIVAGNANAM,J.

This petition has been filed to recall the order, dated 03.11.2015, passed in Writ Petition No.9310 of 2015, which was dismissed, on the ground, that the petitioners had challenged only the sale proceedings, without questioning the award, which resulted in the sale proceedings being initiated. That apart, this Court noted that the Civil Revision Petition filed by the petitioners, challenging the order made in I.A.No.26 of 2008 in unnumbered C.M.A.(CS) of 2008 on the file of the Principal District Court, Salem, dated 26.07.2011, was dismissed, as withdrawn.

2. In the affidavit filed in support of the petition, no justifiable reason has been set out by the petitioners, to recall the earlier order.

3. Learned counsel for the petitioners submits that the property is worth about Rupees One Crore, which is much higher than the amount, said to have been secured in the public auction.

4. However, the above said plea cannot be raised at this juncture in the Writ Petition, in the absence of any challenge to the auction proceedings, or the proceedings, which led to the auction. Hence, no grounds have been made out to recall the order, dated 03.11.2015, passed in the Writ Petition.

5. W.M.P.is dismissed.

T.S.SIVAGNANAM,J.

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