

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2017

CORAM

The Hon'ble MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE R.MAHADEVAN

O.S.A.No.34 of 2017
and
C.M.P.No.3114 of 2017

Abdul Sathar,
New Chennai Collections (Chennai Collections),
No.17/32AA, East Road,
Kothangamangalam,
Koilandi (Post),
Calicut, Kerala.

... Appellant/Applicant
4th Respondent

Vs

1. R.Gopalakrishnan

2. G.Mahalakshmi

3. M/s.Chennai Collections Textiles Pvt. Ltd.,
rep. by its Managing Director R.T.Chandrasekar,
No.19, Prakasam Road,
Janaki Nagar, Valasaravakkam,
Chennai-600 087.

4. Rilji

5. P.V.Manoj Kumar

... Respondents/Applicants
Respondents 1 to 3

Appeal filed under Order XXXVI, Rule 9 of Original Side Rules read with Clause 15 of Letters Patent against the order dated 04.07.2016 in a.No.1904 of 2016 in A.No.784 of 2014 on the file of this Court.

For Appellant : Mr.A.Prabhakaran

For Respondents : Mr.V.Subramaniam
for M/s.S.Sathish Rajan

JUDGMENT

(Judgment was delivered by the Hon'ble Acting Chief Justice)

Mr.V.Subramaniam, learned counsel takes notice for the respondents.

2. Heard the learned counsel for parties for some time.

3. Being aggrieved by the order in Application No.1904 of 2016 in Application No.784 of 2014, dated 04.07.2016, the appellant has preferred this appeal.

4. Application No.1904 of 2016 was filed by the appellant to raise the order of attachment dated 20.7.2015 passed in A.No.784 of 2014.

5. On a perusal of the records, we find that the order impugned in this appeal is a consent order. By virtue of the impugned order, the learned Single Judge appointed a retired District Judge as the Court Commissioner to conduct auction sale and the property was also sold in the auction. Copy of the report of the Court Commissioner is produced before us. If really the appellant is aggrieved by any such auction sale or etc., it is open to him to seek a clarification before the learned Single Judge by way of filing an application.

6. In view of the aforesaid, we dispose of the present appeal with liberty to the appellant to approach the learned Single Judge. No costs. Consequently, C.M.P.No.3114 of 2017 is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

The Sub Assistant Registrar,
Original Side,
High Court, Madras.

+1cc to Mr.A.Prabhakaran, Advocate, S.R.No.11681

+1cc to M/s.S.Sathish Rajan, Advocate, S.R.No.11490

O.S.A.No.34 of 2017

UG(CO)

CA(02/03/2017)