



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.(MD) No.17516 of 2015
and
M.P.(MD) Nos.2 & 3 of 2015

1.Sree Narayana Textiles Pvt., Ltd.,
Visalakshi Nagar, Madurai
rep.by its Director Mr.N.Thiyagarajan

2.N.Thiyagarajan

3.N.Palaniappan

... Petitioners

-vs-

1.Industrial Development Bank of India
No.115, Anna Salai, Saidapet
Chennai-15

2.The Recovery Officer,
Recovery Tribunal No.2
Debts Recovery Tribunal No.2
4th Floor, Deva Towers
770.A, Anna Salai, Chennai-2

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari to call for the records relating to the 2nd respondent in his proceedings DRC No.211/07 in O.A.No.362 of 2007, dated 14.11.2014 and to quash the same.

For Petitioner : Mr.K.Periasamy

For Respondents : Mr.B.Murugan for R1
No appearance for R2

O R D E R

[Order of the Court by T.S.SIVAGNANAM, J.]

<https://hcservices.hcsmadurai.in/MsServices/Details.aspx?ID=1001>
Hereby, Mr.K.Periasamy, learned counsel appearing for the writ petitioner and Mr.B.Murugan, learned counsel appearing for the first respondent and perused the materials produced.



2. This writ petition has been filed challenging the order of attachment passed on 14.11.2014.

3. It is seen that the writ petition was filed only in September 2015 and the Division Bench thought that there may be a chance for settlement and therefore the parties were directed to resolve it. But, nothing happened thereafter and the matter has been adjourned from time to time. By efflux of time, no purpose would be served in keeping the writ petition pending nor adjudicating the correctness of the order of attachment, which was passed during November, 2014. Therefore, this writ petition is closed leaving it open to the petitioners and the respondent-Bank to work out their remedy in the manner known to law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To:

1. Industrial Development Bank of India,
No.115, Anna Salai, Saidapet,
Chennai-15.

2. The Recovery Officer,
The Recovery Tribunal No.II,
Debts Recovery Tribunal No.II,
4th Floor, Deva Towers,
770.A, Anna Salai, Chennai-2.

+1CC to M/S.B.Murugan, Advocate, SR.No. 16091

+1CC to M/S.PT.S. Narendravasan, Advocate, SR.No. 16041

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AM/RR/27.03.2017/2P/5C