



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 17.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.12592 of 2017
and
W.M.P. (MD) Nos.9708 & 9709 of 2017

P.Subin

... Petitioner

vs.

The Tamil Nadu Industrial Investment
Corporation Limited,
Represented by its
Branch Manager/Authorised Officer,
Ramanathapuram Branch,
No.1130-C, Ramnad-Ramaeswaram Road,
Opposite to Sothurani,
Bharathi Nagar,
Ramanathapuram.

... Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ issue a Writ of Certiorari, to call for the records pertaining to the Impugned Notice of Intended Sale dated 30.05.2017 on the file of the respondent and quash the same as illegal.

For Petitioner : Mr.S.Rajasekar
For Respondent : Mr.G.Murugan

O R D E R

(Order of the Court was made by G.R.SWAMINATHAN,J.)

The writ petitioner challenges the notice dated 30.05.2017, issued by the respondent corporation, proposing sale of the property in question.

2.The writ petitioner is a borrower. On account of the default committed by him, the respondent has issued the intended sale notice. When, the writ petition was taken up for admission, this Court issued notice and granted interim stay of the auction notice. Thereafter when the Writ Petition came up for hearing on 08.08.2017, the petitioner had given an undertaking to pay a sum of

Rs.3,00,000/- forthwith and the remaining in installments.

3.The writ petitioner was also directed to file an under taking affidavit indicating the payment schedule. This order was passed on 08.08.2017. But, when the case came up for hearing today, the learned counsel appearing for the writ petitioner expressed his inability stating that no payment had been made sofar. No time schedule has also been filed.

4.Taking note of the conduct of the writ petitioner, this Court is not inclined to grant the relief sought for by the petitioner. This writ petition, therefore, stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

The Branch Manager/Authorised Officer,
Tamil Nadu Industrial Investment
Corporation Limited,
Ramanathapuram Branch,
No.1130-C, Ramnad-Ramaeswaram Road,
Opposite to Sothurani,
Bharathi Nagar,
Ramanathapuram.

+ 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 72973
+ 1 CC TO Mr.R.SARAVANAN, ADVOCATE IN SR No. 72967

DAS/GSP
TE/MR-KKR/SAR-III : 06/09/2017 : 2P/4C

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