

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE MS. JUSTICE J. UMA DEVI

WRIT PETITION No. 10307 of 2017

ORDER: (*Per VRS,J*)

The petitioner, who was a Director of the 5th respondent Company which is a registered dealer, has come up with the present writ petition, challenging an auction notice. Since this case was connected to a writ petition filed earlier in W.P.No.43024 of 2015, by which the order of assessment was challenged, both the cases were directed to be posted today, for the Department to file a counter.

2. However, the learned special standing counsel for the respondents 1 to 4 sought time to file a counter in W.P.No.43024 of 2015. Though the request is opposed, we are of the considered view that no prejudice will be caused as on date to the petitioner, by granting time to the respondents to file a counter. This is for the reason that though in our interim order, dated 27.03.2017, we permitted the respondents to proceed with the auction, but not to confirm the same, the auction never took place. Therefore, at least, the present writ petition has become infructuous. Hence, the Writ Petition is closed, however, with liberty to the petitioner to come up, as and when a fresh auction notice is issued.

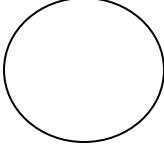
Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

J. UMA DEVI, J.

10th April, 2017
cbs





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