

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.4380 of 2018
and W.M.P.No.5376 of 2018

M/s. Swetha Modern Rice Mill
represented by its Proprietorship
K.Venkatesan
No.3, Meyyur Road,
Monnavedu Village & Post,
Tiruvallur district - 602 021 Petitioner

Vs.

The Tamilnadu Industrial Investment
Corporation Limited,
A Government of Tamilnadu Undertaking
Tiruvallur Branch,
86, C & D, 2nd Main Road,
Ambattur Industrial Estate
Chennai - 600 058 ...Respondent

Prayer:Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records of the respondent in its Proceedings vide TIIC/TVLR.LAO/2017-18 dated 20.02.2018 and quash the same.

For Petitioner : Mr.K.Karthikeyan

For Respondent : Mr.Magesh

O R D E R

This writ petition is filed to issue a Writ of Certiorari to call for the records of the respondent in its Proceedings vide TIIC/TVLR.LAO/2017-18 dated 20.02.2018 and quash the same.

2. The impugned order is for taking physical possession of primary and collateral properties of the petitioner for realising the loan amount, totaling Rs.51,25,595/-.

3. When the matter was taken up for admission on 27.02.2018, this Court passed the following interim order.

(a) The petitioner shall pay a sum of Rs.10 lakhs to the respondent, within a period of 10 days from today.

(b) No further indulgence will be shown to the petitioner for extension of time to make such payment.

(c) If the petitioner fails to pay the above said sum of Rs.10 Lakhs, within the time stipulated, the interim stay granted stands vacated automatically without reference to the Court.

4. Today, the matter is listed again for reporting compliance. Learned counsel appearing for the respondent submitted that the petitioner has not complied with the conditional order passed by this Court. The said statement is not disputed by the learned counsel appearing for the petitioner. Thus, it shows that the petitioner is not having any bonafide in approaching this Court repeatedly, even though, this Court has shown some indulgence to the petitioner on an earlier occasion as stated supra in W.P.No.1279/2017. Therefore, there is no purpose in showing any further indulgence to the petitioner since they have not utilised the opportunity given to them to show their bonafide. Thus, I find no reason to entertain the writ petition any more, as the petitioner has not approached this Court with bonafide intention. On the other hand, it is apparent that this attempt is being made only to protract the proceedings by one way or the other, which this Court is not inclined to entertain any further. Accordingly, the writ petition is dismissed. The interim stay already granted is vacated. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Deputy Registrar (CS)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

vsi

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To
The Tamilnadu Industrial Investment
Corporation Limited,
A Government of Tamilnadu Undertaking
Tiruvallur Branch, 86, c & D, 2nd Main Road,
Ambattur Industrial estate
Chennai - 600 058

+1cc to Mr.K.MAGESH, Advocate, S.R.No. 18348

W.P.No.4380 of 2018

TR(20/03/2018)



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