

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2018

CORAM

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.1260 of 2010

S.Vaiyapuriyappan

... Petitioner

Vs

1. The Authorized Officer
Regional Office
Syndicate Bank
No.105/106, Ponnurangam Road (West)
R.S.Puram, Coimbatore - 641 002.
2. The Manager
Syndicate Bank
SME Branch
No.220, Dr.Rajendra Prasad Road
Tatabad, Coimbatore - 641 012.
3. P.Samivel
Proprietor, Kishan Fabrics
Door No.3/90, K.V.Madhappur
Somanur - 641 668
Coimbatore District.
4. The Superintendent of Police
Coimbatore Rural District
Coimbatore - 18.
5. The Inspector of Police
District Crime Branch
Coimbatore - 18.
(R4 and R5 impleaded by order
dated 29.9.2011 in MP.1/2011)

6. P.Balasubramanian
(R6 impleaded as per order dated
10.8.2012 in MP.2/2011)

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Certiorari to call for the records of the first respondent bank pertaining to the sale notice dated 3.12.2009 in Ref.3189/ORD953/6132/CRP/REC/2008 in respect of the petitioner's immovable property in S.F.No.83/20 of Karavazhi Madhappur Village, Somanur, Coimbatore District and quash the same and also quash the consequent public auction notice dated 14.12.2009 issued by the first respondent bank published in the daily newspaper "Dhinanthi" dated 23.12.2009.

For Petitioner : Mr.P.M.Duraiswamy

For Respondents : Mr.P.Sreenivasulu
for respondents 1, 2 and 6

Mr.T.Sathyaseelan
for 3rd respondent

Mr.S.Kamalesh Kannan
Government Advocate
for respondents 4 and 5

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner has approached this Court against the public auction sale notice dated 14.12.2009.

2. The learned counsel for the respondent bank submitted that the matter has been settled and the documents will be released to the petitioner immediately after withdrawal of the writ petition. The learned counsel also produced a letter dated 29.10.2018 addressed to him to the said effect and the same is taken on record.

3. The learned counsel for the petitioner states that now the writ petition has become infructuous and submits that the respondent bank may be directed to release the documents expeditiously.

4. In view of the above, the writ petition is dismissed as infructuous. No costs.

5. The learned counsel for the respondent bank states that as the writ petition is dismissed, they will return the documents to the petitioner within ten days. The said statement is recorded.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sasi

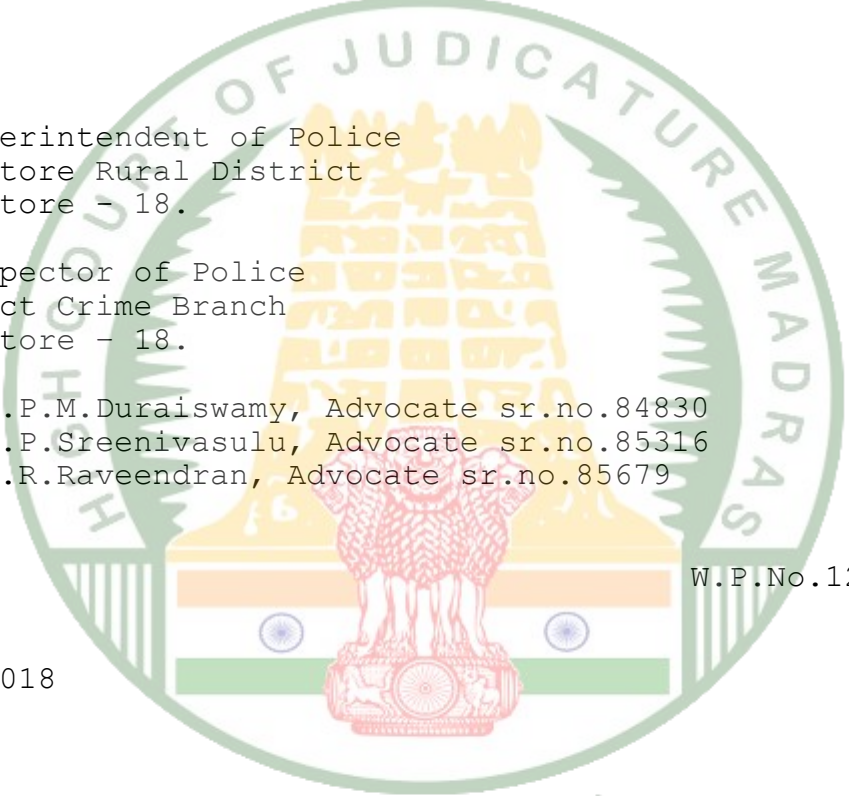
To:

1. The Superintendent of Police
Coimbatore Rural District
Coimbatore - 18.
2. The Inspector of Police
District Crime Branch
Coimbatore - 18.

+1cc to Mr.P.M.Duraiswamy, Advocate sr.no.84830
+1cc to Mr.P.Sreenivasulu, Advocate sr.no.85316
+1cc to Mr.R.Raveendran, Advocate sr.no.85679

W.P.No.1260 of 2010

sj(co)
nr 24/12/2018



सत्यमेव जयते

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