

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 19.12.2018

CORAM
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.29273 of 2005
and
W.P.M.P.No.32031 of 2005

N.Lakshmi Bai

.. Petitioner

..Vs..

- 1.The State of Tamil Nadu,
Rep.by its Secretary,
Industries Department, Secretariat,
Fort. St. George,
Chennai - 600 009.
- 2.Tamil Nadu Industrial Investment Corporation Limited,
Rep.by its Managing Director,
Head Office:692, Anna Salai,
Nandanam,
Chennai - 600 035.
- 3.Tamil Nadu Industrial Investment Corporation Limited,
Rep.by its Branch Manager,
Thiruvallur Branch,
No.86 C&D Second Main Road,
Ambattur Industrial Estate,
Chennai - 600 058.
- 4.M/s.Kailash Hi-Tech Timber Industries Limited,
Rep.by its Chairman Mr.Muthusamy,
Plot No.121/122, SIDCO Industrial Estate,
Kakkalur, Tiruvalluvar District.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1-3 to take action first against the fourth respondent company's property and also against the individual properties of the directors / promoters of the fourth respondent company, by invoking the personal guarantee executed by them and after exhausting all these remedies they are unable to realize the debt, then only the respondents 1-3 have to initiate action against the petitioner properties U/S.29 of the SFC Act and at each and every stage, the respondents 1-3 ought to obtain permission from this Hon'ble Court.

For Petitioner : Mr.R.Hari Haran
For Respondents : Mr.Akhil Akbar Ali for R1
Mrs.Rita Chandrasekaran
for M/s.Aiyar & Dolia for R2 & R3

O R D E R

The petitioner was a borrower and the learned counsel appearing on behalf of the respondent brought to the notice of this Court that the loan dues were already settled on 27.07.2006 itself and the accounts are closed.

2. Thus, the cause became infructuous and the writ petition stands dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Pns

To

- 1.The State of Tamil Nadu,
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Industries Department, Secretariat,
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Chennai - 600 009.
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No.86 C&D Second Main Road,
Ambattur Industrial Estate,
Chennai - 600 058.

+1cc to M/s.Aiyar and Dolia, Advocate, S.R.No.88806
+1cc to the Government Pleader, S.R.No.88933

W.P.No.29273 of 2005

RV(CO)
rrs 25/01/2019