

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2018

CORAM:

THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.26933 of 2016

and WMP No.23168 of 2016

PMR Software Technologies Pvt Ltd.,
No.14, Plot No.2036, 15th Main Road,
Anna Nagar West,
Chennai - 600 040,
Rep. by Director P.Muthuvel Raj. Petitioner

vs.

1. Presiding Officer,
Debts Recovery Tribunal-III,
770A, Anna Salai,
Chennai - 600 002.

2. State Bank of India,
Rep. by its Authorized Officer,
Stressed Assets Management Branch,
Red Cross Buildings,
32, Montieth Road, Egmore,
Chennai - 600 008. Respondents

WRIT Petition filed under Article 226 of the Constitution of India,
praying for the issuance of a writ of certiorari, to call for the
records and quash the notice of sale bearing Ref.No.SAMB/CLO-V-447
dated 22.06.2016 issued by the Authorized Officer of the 2nd
respondent.

For Petitioner : No Appearance.
For Respondents : Mr.M.Devaraj (for R2)

ORDER

(Order of the Court was delivered by S.MANIKUMAR, J)

PMR Software Technologies Private Limited represented by its
Director, Mr.P.Muthuvel Raj has filed the instant writ petition for
a certiorari to quash the sale notice dated 22.06.2016 issued by
the Authorised Officer, Stressed Assets Management Branch, fixing
the auction on 02.08.2016.

2. Record of proceedings shows that on 03.08.2016, a Hon'ble
<https://hcservices.ecourts.gov.in/hcservices/>

Division Bench of this Court has ordered notice through Court and privately. On 06.03.2018, when the matter came up for hearing, we passed the following order.

"Ms.S.Indumathi Ravi, learned counsel on record submitted that three months ago, entire cause papers and change of vakalat have been given to the writ petitioner.

Registry is directed to ascertain as to whether any fresh vakalat has been filed. If so, print the name of the learned counsel and if no, print the name of the writ petitioner and post on 12.03.2018, immediately after motion."

3. Today, Registry in the cause list has stated that change of vakalat has not been filed. Though, name of the writ petitioner is shown in today's cause list, there is no appearance either in person or through pleader. Counter affidavit has been filed by the Bank, wherein it is stated that on 02.08.2016, sale did not take place.

4. As there is no representation for the petitioner and that the sale did not take place, nothing survives in this writ petition for adjudication. Writ petition is dismissed. No costs. Consequently, the connected writ miscellaneous petition is closed.

Sd/-

ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

ars

To

1. Presiding Officer,
Debts Recovery Tribunal-III,
770A, Anna Salai,
Chennai - 600 002.

2. Authorized Officer,
State Bank of India,
Stressed Assets Management Branch,
Red Cross Buildings,
32, Montieth Road, Egmore,
Chennai - 600 008.

+1 cc to M/s.M.Devaraj, Advocate SR.NO. 18502

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GP(CO)
JK 02/04/18