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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2019
CORAM

THE HON'BLE Mr. JUSTICE M.DHANDAPANI

W.P.No.20260 of 2006
M.P.No.2 of 2006

1.G.Radhakrishnan
2.R.Malavizhi
3.M.Malathi
4.M.Karthik
5.C.P.Sampath Kumar
6.G.Sundresan
7.Saravanan
8.Sekar

...Petitioners

Vs

1. No.1628, Chinthadripet Co-operative Bank Ltd.,
Rep.by its Special Officer,
No.105 & 106, Samynaicken Street,
Chinthadripet, Chennai-600 002.

2. A.M.Rahamathullah

3. M/s.Gojan Engineers Private Limited
Rep.by its Director,
R.Raja,
S/o.T.Ramaswamy,
S-59, Income Tax Colony First Street,
Adambakkam, Chennai-600088.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, to direct the first respondent to consider and accept the one time settlement offer given by the petitioners on 23.06.2006 in terms of the notification published by the first respondent in Tamil News Paper Dinakaran dated 17.06.2006 in respect of the property bearing the Door No.49, E.B.Colony, Adambakkam, Chennai-600 088 towards the loan No.4171 and consequently forbear the first respondent from bringing the aforesaid property in public auction.

For Petitioner : Mr.G.Ethirajulu

For Respondents: M/s.T.Girija
Additional Government Pleader for R1



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O R D E R

The petitioners have filed the writ petition for issuance of a Writ of Mandamus, to direct the first respondent to consider and accept the one time settlement offer given by the petitioners on 23.06.2006 in terms of the notification published by the first respondent in Tamil News Paper Dinakaran dated 17.06.2006 in respect of the property bearing the Door No.49, E.B.Colony, Adambakkam, Chennai-600 088 towards the loan No.4171 and consequently forbear the first respondent from bringing the aforesaid property in public auction.

2. The learned counsel appearing for the petitioners would submit that this Court has passed an interim order directing the petitioners to pay the entire amount. But the petitioners have not paid the same till now. The learned counsel further submitted that he has not received any instructions from his clients as to whether the conditional amount is paid or not.

3. From the above submissions made by the learned counsel appearing for the petitioners it is evident that the petitioners have not complied with the conditional order passed by this Court. Therefore, nothing survives for further adjudication in this writ petition.

4. In view of the same, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ssb

To

The Special Officer,
No.1628, Chinthadripet Co-operative Bank Ltd.,
No.105 & 106, Samynaicken Street,
Chinthadripet, Chennai-600 002.

+1cc to M/s.T.Girija , Advocate SR.No. 62152

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A.SK(19/08/2019)