

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2019

CORAM

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

THE HON'BLE MR.JUSTICE M.DURAISWAMY

W.P.No.30601 of 2008

P.PARAMESWARAN

..Petitioner

.Vs.

1 THE OFFICIAL ASSIGNEE
HIGH COURT, MADRAS - 114.

2 THE RECOVERY OFFICER
DEBTS RECOVERY TRIBUNAL
4/162, KALYANI TOWERS
METTUR ROAD, UTHANGUDI
MADURAI - 625 157.

3 THE BRANCH MANAGER
CANARA BANK
209, TEPPAM NORTH BAZAAR
VIRUDHUNAGAR
VIRUDHUNAGAR DT.

4 P.RANGARAJU

..Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first respondent to pay a sum of Rs.20,04,000/-, being the bid amount, to the third respondent bank in respect of R.P.No.4 of 2007 in DRC No.204 of 2000 from and out of the amount of sum of Rs.2,18,41,835/- belonging to the fourth respondent.

For Petitioner

: Ms.P.Suja
for M/s.K.Rajasekaran

For Respondents

: Mrs.V.Uma
Official Assignee
and
Mr.M.Vasantha Kumar
Deputy Official Assignee
for 1st respondent
R2 - Tribunal
No appearance
for respondents 3 and 4

ORDER

(Order of the Court was made by M.DURAISWAMY,J.)

The above writ petition has been filed by the petitioner to issue a writ of mandamus directing the first respondent to pay a sum of Rs.20,04,000/-, being the bid amount, to the third respondent bank in respect of R.P.No.4 of 2007 in DRC No.204 of 2000 from and out of the amount of sum of Rs.2,18,41,835/- belonging to the fourth respondent.

2. When the writ petition is taken up for hearing, Mr.M.Vasantha Kumar, learned Deputy Official Assignee submitted that the first respondent had already paid a sum of Rs.43,00,000/- to the third respondent on 19.2.2010. That apart, the learned Deputy Official Assignee has also produced the details with regard to the payment made to the third respondent on 19.2.2010 in the typed set of papers. Further, the learned Deputy Official Assignee submitted that since the amount has already been disbursed to the third respondent, the relief sought for in the writ petition has become infructuous.

In view of the above, we dismiss the writ petition as infructuous. No costs. Consequently, M.P.No.1 of 2008 is closed.

sasi

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1 THE OFFICIAL ASSIGNEE
HIGH COURT, MADRAS - 114.

2. THE RECOVERY OFFICER
DEBTS RECOVERY TRIBUNAL
4/162, KALYANI TOWERS
METTUR ROAD, UTHANGUDI
MADURAI - 625 157.

+1cc to Mr.K.Rajasekaran, Advocate, SR.No.62061

W.P.No.30601 of 2008

Kak(19/08/2019)



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