



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 10.07.2019
CORAM
THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

WEB COPY

W.P.No.930 of 2005
and WP.MP.Nos.1049 of 2005 and 719 of 2009

M/s.Dhanalakshmi Bank Ltd.,
Mandaveli Branch,
Chennai.
Rep. by its Manager

...Petitioner

Vs

1. M/s.Airports Authority of India,
Southern Region,
Chennai.
2. M/s.VIF Airways Ltd., (In Liquidation)
No.101/102, Classic Enclave,
Punjabgutta, Hyderabad 500 482,
Rep. by Official Liquidator.
3. M/s.Zen Global Finance Ltd.,
Rep. by its Chairman,
No.3, Pachiappa's College,
Hostel Road, Chennai 600 031.

..Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the first respondent to hand over possession of the hypothecated assets of the third respondent to the petitioner, which were leased by the third respondent to the second respondent, lying at the premises of the first respondent within the time limit stipulated by this Court.

For Petitioner : Mr.K.Rajasekaran
For Respondents : Mr.C.Godwin, for R1
No Appearance, for RR2 & 3

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus directing the first respondent to hand over possession of the hypothecated assets of the third respondent to the petitioner, which were leased by the third respondent to the second respondent, lying at the premises of the first respondent within the time limit stipulated by this Court.



2. The learned counsel for the petitioner reports no instruction.

3. The learned Standing Counsel appearing for the first respondent would state that the petitioner had already approached the Debt Recovery Tribunal by filing O.A.No.48 of 1999. It is further submitted that the petitioner had not complied with the direction issued by the Debt Recovery Tribunal and thereafter filed this Writ Petition.

4. In the light of the above facts, I find no merit in this Writ Petition. The Writ Petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

pvs

To

M/s.Airports Authority of India,
Southern Region,
Chennai.

+1cc to Mr.C.Godwin, Advocate sr.85476

W.P.No.930 of 2005

br(co)
nr 26/08/2019