



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Twenty Seventh day of June Two Thousand and Nineteen

Present

The Hon`ble Mr.Justice K.RAVICHANDRABAABU

AND

The Hon`ble Mr.Justice SENTHILKUMAR RAMAMOORTHY

WMP(MD).No.21626 of 2018 and 21627 of 2018
in WP(MD).No.218 of 2016

1.V.K.ASHOKAN (DIED ON 06.01.2018)
2.TAMILARASI,
3.RANJETH,
4.RANJANI,
5.PAPPAYEE AMMAL ... Petitioners/Proposed Writ Petitioners

Vs

1 THE AUTHORIZED OFFICER,
ORIENTAL BANK OF COMMERCE NO.492 JAWAHAR BAZAAR
KARUR-639 001.

2 M/S.PSG IMPEX,
REP. BY ITS PARTNER K.RAJENDRAN GOWRIPURAM EXTENSION
ANNA NAGAR, KARUR.

... Respondents/Respondents

Prayer in WMP(MD).No.21626 of 2018:-

This Petition is filed Under Article 226 of the Constitution of India praying to substitute the proposed petitioners 2 to 5 therein as legal representatives of the deceased writ petitioner and implead them as petitioners 2 to 5 in W.P(MD).No.218 of 2016 and thus render justice.

Prayer in WMP(MD). 21627 of 2018 :

This Petition is filed Under Article 226 of the Constitution of India praying to condone the delay of 200 days to filing the restoration in W.P(MD)No.218 of 2016 and render thus justice.

Prayer in WP(MD). 218 of 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing 1st respondent to forthwith execute sale deed and hand over possession of the property at New No.13, Old No.10/10A, Plot No.27D, of an extent of 2426 sq.ft. Gowripuram extension, Anna Nagar, Karur or in presence to the sale certificate dated 16.04.2013 refund the entire sale consideration of Rs.90,10,000/- together with interest at the rate of 12% per annum with effect from 05.04.2013.



ORDER:- These Petitions coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s.AL.GANTHIMATHI, Advocate for the Petitioners and of Mr.P.THIRUMAHILMARAN, Advocate for the respondents R1 and R2 in Both WMP's, this Court made the following order:

[Order of the Court was made by K.RAVICHANDRABAABU, J.]

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The petition in W.M.P.(MD)No.21627 of 2018 in W.P.(MD)No.218 of 2016 is filed to condone the delay of 200 days in filing the restoration petition. The petition in W.M.P.(MD)No.21626 of 2018 in W.P.(MD)No.218 of 2016 is filed to substitute the petitioners herein as proposed petitioners in the writ petition.

2.It is seen that the writ petition filed by the sole writ petitioner was dismissed for non-prosecution on 13.03.2018. Thereafter, the writ petitioner died and the present two Miscellaneous Petitions are filed by the legal heirs of the deceased petitioner.

3.Considering the reasons stated in the accompanying affidavits and on being satisfied with the same, both the petitions are ordered.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

TO

1. THE AUTHORIZED OFFICER,
ORIENTAL BANK OF COMMERCE NO.492 JAWAHAR
BAZAAR KARUR-639 001.
2. M/S.PSG IMPEX,
REP. BY ITS PARTNER K.RAJENDRAN GOWRIPURAM
EXTENSION ANNA NAGAR KARUR.

ORDER DATED : 27/06/2019

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ORDER

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WMP(MD).No.21626 of 2018
and
WMP(MD).No.21627 of 2018 in
WP(MD).No.218 of 2016

Giving direction and etc.
as stated within.

DB(CO)