



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 10.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P.(MD)No.7857 of 2019

and

W.M.P(MD).No.6210 of 2019

N.Sudha

... Petitioner

Vs

1.The Chairman & Managing Director,
The Tamil Nadu Industrial Investment Corporation Ltd.,
Arulmanai, No.27, Whites Road,
Chennai-600 014.

2.The Branch Manager,
The Tamil Nadu Industrial Investment Corporation Ltd.,
Pudukottai Branch (SSI),
'MENA' Complex, 1st Floor,
T.S.No.2430/31, West Main Road,
Pudukottai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records relating with the possession notice in TIIC/PDK/FU/2018-2019 dated 04.03.2019 issued by the second respondent for taking the physical possession of the petitioner's building and machinery at Plot No.6 comprised in S.F.No.207/6, Thendral Nagar, Kavinadu Kilavattam, Pudukottai and quash the same as arbitrary.

For Petitioner : Mr.R.Suriyanarayanan

For Respondents : Mr.K.Mu.Muthu

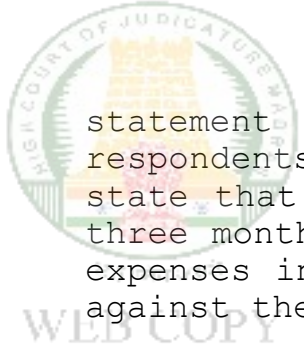
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The writ petitioner had availed loan from the respondent Corporation. Since the petitioner committed default, the petitioner's properties were brought to auction. The same is under challenge in this writ petition.

3. When the matter was taken up for hearing, this Court wanted the petitioner to show his bonafide by making some payment directly to the Corporation. The learned counsel for the petitioner today (ie., 10.04.2019) says that the petitioner paid a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the respondents. This



statement is accepted by the learned Standing counsel for the respondents. The learned counsel for the petitioner would further state that he would clear the balance liability within a period of three months from the date of receipt of a copy of this order. The expenses incurred by the Corporation would be included in the claim against the writ petitioner.

4. Recording the undertaking given by the writ petitioner, the respondents are directed to defer and postpone the auction proceedings by a period of three months from today.

5. The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS)

Rmk

To

1.The Chairman & Managing Director,
The Tamil Nadu Industrial Investment Corporation Ltd.,
Arulmanai, No.27, Whites Road,
Chennai-600 014.

2.The Branch Manager,
The Tamil Nadu Industrial Investment Corporation Ltd.,
Pudukottai Branch (SSI),
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+1 CC to M/s.SPL GP (SR-60368[F] dated 11/04/2019)

W.P. (MD) No. 7857 of 2019

10.04.2019

ES/21.05.2019/2P/4C