



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.07.2019**

WEB COPY

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

W.P.(MD)No.4269 of 2014

and

M.P.(MD)No.1 of 2014

S.Dhanalakshmi

...Petitioner

-Vs-

1.The Commercial Tax Officer (FAC),
Thuraiyur, Trichy District.

2.M/s.Trichy Ramesh Pipe Industries (P) Ltd.,
No.5/301-A, Trichy Main Road,
Thuraiyur - 621 010,
Trichy District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to forbear the first respondent from in any way bringing the petitioner's property situate at S.No.64/11-Hec.0.48.0 Ars. (Patta No.602)-Door Nos.77-2/18C,11, 77-3/18C-11, South Car Street, Thuraiyur, Trichy District for public auction to be held on 12.03.2014 at 11.00 AM or on the subsequent dates at the office of Singalathapuram Village Administrative Office.

For Petitioner : Mrs.R.Hamalatha

For Respondents : Mr.S.Angappan,
Government Advocate

ORDER

The prayer in this writ petition is for a Mandamus forbearing the first respondent Commercial Tax Officer from in any way bringing the petitioners' property situate at S.No.64/11-Hec.0.48.0 Ars. (Patta No.602)-Door Nos.77-2/18C,11, 77-3/18C-11, South Car Street, Thuraiyur, Trichy District, for public auction to be held on 12.03.2014.

2.Mr.Angappan, learned Government Advocate, appears for R1 and confirms that no auction was conducted on the aforesaid date. I thus see no justification for keeping the matter pending any

longer as no cause of auction exists in this regard.

3.Learned counsel for the petitioner points out that the challenge also covers any subsequent auctions that may be held in regard to the aforesaid property. This is however, to wide a prayer and I am not inclined to keep this writ petition pending on a mere anticipation of coercive proceedings.

4.Hence, this writ petition is dismissed. Liberty is granted to the petitioner to revive the same at a later, more appropriate juncture if the situation warrants the same. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

TM/gns

To

The Commercial Tax Officer (FAC),
Thuraiyur, Trichy District.

+1 CC to M/s.R.HEMALATHA, Advocate (SR-77555[F] dated
25/07/2019)

+1 CC to M/s.SPL GP (SR-77968[F] dated 26/07/2019)

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