

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 2709 of 2020
and
W.M.P. No. 3135 of 2020

M/s. Sri Venkateswara Modern Rice Mill,
Rep. by its partner C. Purushothaman,
S. No. 117/2B2A, Quilam Village,
Chengam Polur Road,
Chengam - 606 701. Petitioner

-vs-

1. The Branch Manager,
Tamil Nadu Industrial Investment Corporation Ltd.,
73/A, Katpadi Main Road,
Vellore - 632 006.
2. The Tamil Nadu Industrial Investment Corporation Ltd.,
No. 4, Lakshmipuram,
Bye Pass Road,
Gandhi Nagar,
Tiruvannamalai - 606 602. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records of the First Respondent bearing THC/VLR/BO/2019-20 dated 08.01.2020 and quash the same.

For Petitioner : Mr. K. Venkatasubban

For Respondents: Mr. K. Mahesh, Standing Counsel

ORDER

The Writ Petition challenges the auction notice No. THC/VLR/BO/ 2019-20 dated 08.01.2020 issued by the First Respondent for the auction that was proposed to be held on 10.02.2020.

2. During the earlier hearing on 10.02.2020, it was informed by the Learned Standing Counsel appearing for the Respondents

that the Petitioner paid a sum of Rs.4,70,000/- on that day and as there were no bidders, the auction could not be conducted and it was decided to conduct re-auction. At that stage, Learned Counsel for the Petitioner submitted that the Petitioner would ascertain the entire loan amount due from the Respondents and an affidavit would be filed stating the time period by which the entire loan amount would be fully repaid. Today, an affidavit of undertaking dated 18.02.2020 has been filed stating that the Petitioner would repay the entire amount as claimed by the Respondents by 21.04.2020. The said affidavit is placed on record. If the entire amount including the interest and charges for earlier auction conducted as claimed by the Respondents is not paid by the Petitioner by 21.04.2020, it would be open to the Respondents to fix the auction on any date thereafter in accordance with law.

3. The Writ Petition is disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

vjt

To

1. The Branch Manager,
Tamil Nadu Industrial Investment Corporation Ltd.,
73/A, Katpadi Main Road,
Vellore - 632 006.
2. The Branch Manager,
Tamil Nadu Industrial Investment Corporation Ltd.,
No. 4, Lakshmipuram,
Bye Pass Road,
Gandhi Nagar,
Tiruvannamalai - 606 602.

+1cc to Mr.K. Mahesh, Advocate SR.No.14555

+1cc to Mr.Sarvabhauman Association, Advocate SR.No.14573

W.P. No. 2709 of 2020

GMV (07/05/2020)