

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2020

CORAM

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

W.P. No. 20438 of 2018
and
W.M.P. No. 24009 of 2018

State Bank of India,
Stressed Assets Management Branch,
No. 1112, 1st Floor, Raja Plaza,
Avinashi Road,
Coimbatore - 641 037,
Represented by its Assistant General Manager.

... Petitioner

-vs-

1. The Recovery Officer,
Employee Provident Fund Organisation,
Regional Office,
Dr. Balasundaram Road,
Coimbatore - 641 018,
Tamil Nadu.
2. The Sub-Registrar,
Tirupur,
Tirupur District,
Tamil Nadu.
3. M/s. P.G.C. Corporation Ltd.,
No. 5, Prem Gardens,
Rajaji Nagar, P.N. Road,
Tirupur - 641 601.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the First Respondent to remove the attachment effected on 05.02.2018 with the office of the Second Respondent in respect of collateral security/mortgaged property Door No. 21/16, Rajaji Nagar, P.N. Road, Tirupur covered under MOD registered as Doc. No. 4073/2012, SRO, Tirupur so as to enable the Petitioner bank or its successors to register the sale certificate/sale deed in favour of auction purchaser/third party (s) in accordance with law.

For Petitioner : Mr. M.L. Ganesh

For Respondents : Mr. C. Kulanthaivel,
Standing Counsel (for R1)

Mr. T.M. Pappiah,
Special Government Pleader (for R2)

O R D E R

(through video conference)

Heard Mr. M.L.Ganesh, Learned Counsel for the Petitioner and Mr. C.Kulanthaivel, Learned Standing Counsel for the First Respondent and Mr. T.M.Pappiah, Learned Special Government Pleader for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for a direction to the First Respondent to remove the attachment effected on 05.02.2018 with the office of the Second Respondent in respect of collateral security/mortgaged property Door No. 21/16, Rajaji Nagar, P.N. Road, Tirupur covered under MOD registered as Doc. No. 4073/2012, SRO, Tirupur so as to enable the Petitioner bank or its successors to register the sale certificate/sale deed in favour of auction purchaser/third party in accordance with law.

3. When the matter taken up for hearing today, it is brought to the notice of this Court by the Learned Counsel for the First Respondent that by an order No. TN/RO/CBE/RECOVERY/CC-21/77038/2020 dated 06.07.2020, the First Respondent has informed the Second Respondent that the property of one S.Duraiswamy at Door No. 21/16, Rajaji Nagar, P.N. Road, Tirupur, which had been attached for provident fund dues by order No. TN/RO-CBE/RECY/CC-29/2017 dated 28.12.2017 stands revoked. He has also produced a copy of the same through e-mail dated 07.08.2020, which is placed on record. Learned Counsel for the Petitioner has acknowledged receipt of its copy. In view of the subsequent events, nothing remains for further consideration in this Writ Petition.

Accordingly, the Writ Petition is disposed. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Assistant General Manager,
State Bank of India,
Stressed Assets Management Branch,
No. 1112, 1st Floor, Raja Plaza,
Avinashi Road,
Coimbatore - 641 037.
2. The Recovery Officer,
Employee Provident Fund Organisation,
Regional Office,
Dr. Balasundaram Road,
Coimbatore - 641 018,
Tamil Nadu.
3. The Sub-Registrar,
Tirupur,
Tirupur District,
Tamil Nadu.

+1cc to the Government Pleader Sr.26475

W.P. No. 20438 of 2018

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srg 14/08/2020

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