

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2020

CORAM

THE HON'BLE MR.JUSTICE **M.M.SUNDRESH**

and

THE HON'BLE MRS.JUSTICE **R.HEMALATHA**

C.R.P.(PD).Nos. 908 & 909 of 2013 and W.P.No. 23040 of 2012
and M.P.Nos.1 and 2 of 2012

C.R.P.Nos. 908 & 909 of 2013

Indian Bank
Rajaji Salai,
Gudiyattam,
Vellore District,
Rep. By its Senior Manager

.. Petitioner
in both CRPs

Vs.

Sri Rajeswari Mills Limited
Rep. By its Whole Time Director,
M.A.Shivkumaran,
Railway Station Road,
Gudiyatham 632 602,
Vellore District.

.. Respondent
in C.R.P.No. 908/13
.. 2nd respondent
in C.R.P.No. 909/13

R.Ganeshram

.. 1st respondent
in CRP No 909/13

W.P.No. 23040 of 2012

Indian Bank,
Rep. By Sr.Manager,
Rajaji Salai,
Gudiyattam,
Vellore District.

.. Petitioner

vs

- 1.IDBI Stressed Assets Stabilization Fund(SASF)
9th Floor, IDBI Tower, WTC Complex,
Cuffee Parade, Mumbai 400 005.
- 2.Board for Industrial Financing Reconstruction (BIFR)
Rep. By its Secretary/The Registrar,
Jawaharlal Viyapar Bhavan,
No.1, Tolstoy Marg
New Delhi – 110 001.
- 3.Sri Rajeswari Mills Limited
Rep. By its Whole Time Director,
M.A.Shivkumaran,
Railway Station Road,
Gudiyatham – 632 602,
Vellore District.

4.R.Ganeshram

.. Respondents

Prayer in C.R.P.(PD) No. 908 of 2013: Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the order dated 15.11.2012 and all further proceedings passed by the I Additional District and Sessions Judge, Vellore in CMA No.24 of 2012 (formerly CMA No.9 of 2011 on the file of the Principal District Court, Vellore) confirming the order dated 22.03.2011 in IA No. 97 of 2009 in OS No.36 of 2009 on the file of Sub-Judge, Gudiyattam, Vellore.

Prayer in C.R.P.(PD) No. 909 of 2013: Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the order

dated 15.11.2012 and all further proceedings passed by the I Additional District and Sessions Judge, Vellore in CMA No.25 of 2012 (formerly CMA No.10 of 2011 on the file of the Principal District Court, Vellore) confirming the order dated 22.03.2011 in IA No. 212 of 2010 in OS No.97 of 2009 on the file of Sub-Judge, Gudiyattam, Vellore.

Prayer in W.P.No. 23040 of 2012: Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for all the records relating to the proceedings in MA No. 709 of 2010 in Case No 222/02 dated 06.06.2012 on the file of the second respondent and quash the same insofar as the rejection of the relief of the petitioner.

For Petitioner
(in all CRPs and WP) .. Mr.V.Kalayanaraman

For Respondents .. Mr.K.A.Ravindran for R1
in CRP (PD) No. 908/13
for R2 in CRP (PD) No. 909/13
for R3 in W.P.No. 23040/12

Mr.A.S.Balaji for R1
in CRP (PD) No. 909/13

No appearance for R1,R2 & R4
in W.P.No. 23040/12

COMMON ORDER

(Order of the Court was made by *M.M.SUNDRESH, J.*)

When the matter is taken up for hearing, the learned counsel appearing for the parties submitted that in view of the subsequent development by which the Asset Reconstruction Company has taken over the debt, nothing survives for adjudication. The borrower has also been given the intimation of an offer.

2.In such view of the matter, nothing survives for adjudication in these petitions. The civil revision petitions and the writ petition stand closed. Needless to state that non-compliance on the part of the petitioner would certainly create further action on the part of the said concern. No costs. Consequently, connected miscellaneous petitions are closed.

(M.M.S., J.) (R.H., J.)
18.09.2020

Index:Yes/No
mmi/ssm

To

- 1.IDBI Stressed Assets Stabilization Fund(SASF)
9th Floor, IDBI Tower, WTC Complex,
Cuffee Parade, Mumbai 400 005.
- 2.Board for Industrial Financing Reconstruction (BIFR)
Rep. By its Secretary/The Registrar,
Jawaharlal Viyapar Bhavan,
No.1, Tolstoy Marg
New Delhi – 110 001.

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*C.R.P.(PD).Nos. 908 & 909 of 2013
and W.P.No. 23040 of 2012*

**M.M.SUNDRESH, J.
and
R.HEMALATHA, J.**

mmi/ssm



*C.R.P.(PD).Nos. 908 & 909 of 2013
and W.P.No. 23040 of 2012*

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