

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No.8643 of 2020
and

W.M.P.Nos.10463 & 10464 of 2020

M/s.Dyrocon Airtech Pvt.Ltd.,
Rep by its Managing Director SP.Ganesan,
Flat No.2A, 4th Floor, Gokul Towers,
No.9 & 10, C.P.Ramasamy Road,
Alwarpet, Chennai - 600 018. ... Petitioner

Vs

1. The Assistant General Manager,
Indian Overseas Bank,
Nungambakkam Branch,
No.109, Nungambakkam High Road,
Chennai - 600 034.
2. The Regional Manager,
Chennai -I, Indian Overseas Bank,
Head Office,
No.763, Anna Salai,
Chennai - 600 002.
3. M/s.Prasad NC Machine Systems (P) Ltd.,
Rep by its Managing Director,
Mr.S.K.Prasad,
North Avenue Road, SIPCOT Industrial Estate,
Irungattukottai, Sriperumpudur Taluk - 602 105,
Kancheepuram District. ... Respondents

(R3 impleaded vide order dated 24.07.2020 made in W.M.P.No.11883 of 2020 in W.P.No.8643 of 2020)

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the record culminated in the 1st respondent's impugned E-mail letter dated 20.06.2020, and quash the same, and consequently direct the respondent bank to exempt Covid 19 lockdown period from 24.03.2020 and grant 90 days' time after the lock-down period for remitting the 75% balance sale amount.

For Petitioner .. Mr.R.Prabhakaran
For Respondents.. Mr.F.B.Benjamin George for RR1 & 2
Mr.Velmurugan Parthiban for R3

ORDER

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

Heard the learned counsel appearing for the parties including the learned counsel for the 3rd respondent-borrower.

2.It is agreed that on the petitioner paying the remaining amount within a period of 10 days from the date of receipt of a copy of this order, the sale will have to be concluded including by way of confirmation and the sale certificate shall also be issued.

3. The submissions made by the learned counsel for the respective parties stand recorded and the writ petition stands disposed for accordingly. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

+1 Cc to Mr.R.Prabhakaran, Advocate sr 27204.

सत्यमेव जयते

W.P.No.8643 of 2020

SVI (CO)
SP (24/08/2020)

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