

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2020

CORAM

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

W.P.No.10227 of 2020
and
W.M.P.No.12437 of 2020

M/s.Tulasi Cotton Mills,
Proprietor: Kailash R.Modi
No.1334, Thadagam Road,
R.S.Puram, Coimbatore 641 002.

...Petitioner

Vs

1.The Authorized Officer,
Chief Manager,
Bank of Baroda,
Saibaba Colony Branch,
Coimbatore -11.

2.The Authorized Officer,
Zonal Stressed Assets Recovery Branch,
1st Floor, 74, Theagaraya Road,
Pondy Bazaar, T.Nagar,
Chennai 600 017.

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for the records of the respondent in connection with the sale of the property of the petitioner vide Sale Notice BOB-ZOSARB:23:716 dated 16.07.2020 issued by the respondents with respect to the immovable property of the petitioner for SL.No.1 Land and Building property situated at Door NO.1334-1,2,3,4, G.S.No.71, T.S.No.13/62, Telungupalayam Village, Coimbatore Joint-II, SRO and measuring 2440 sq.ft (5.50 Cents and 40 sq.ft.) and to quash the sale notice dated 16.07.2020 issued by the respondents.

For Petitioner : Mr.Om Prakash,Senior Counsel
for Mr.N.S.Sivakumar

For Respondent : Mr.K.S.V.Prasad for R1
No appearance for R2

ORDER

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

When the matter is taken up for hearing, it is informed by both sides that the sale proposed did not take place.

2. In such view of the matter, nothing survives for adjudication in this writ petition. Thus, the writ petition stands closed. Insofar as the proposed settlement is concerned, it is well open to the petitioner to continue to negotiate with the respondent bank. Similarly, if the petitioner is aggrieved against the order, if any, already passed by the respondents or in future any action is taken, the remedy is open to the petitioner by way of approaching the jurisdictional Debts Recovery Tribunal. No costs. Consequently, connected WMP is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi/kmk

+1cc to Mr.N.S.Sivakumar, Advocate, SR.No.30132

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NMI (CO)
RN(04/11/2020)