



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.07.2020

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

W.P. (MD)No.7703 of 2020

and

W.M.P. (MD)Nos.7192, 7193 and 7194 of 2020

1.D.S.Selvayogan

2.S.Narayani

... Petitioners

Vs.

1.The Government of Tamil Nadu,
represented by its Secretary,
Department of Agriculture,
Fort St.George,
Chennai-600 009.

2.The Union Bank of India,
(Erstwhile Andhra Bank),
0349-Madurai Branch,
221, South Masi Street, Madurai.

3.The Regional Manager,
The Regional Office,
The Union Bank of India,
No.72, PT Rajan road,
Bibikulam, Narimedu,
Madurai-625 014.

4.The Director,
Tamil Nadu Horticulture Development Agency,
(TANHODA), Agriculture Complex,
1st floor, Chepauk,
Chennai-600 005.

5.The District Collector,
Dindigul District, Dindigul.

6.The District Collector,
Nilgiris District, Nilgiris.

7.The Commissioner,
Horticulture and Plantation Crops,
3rd Floor, Agriculture Complex,
Ezhilagam, Chepauk,
Chennai-600 005.

... Respondents



Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the impugned sale notice for sale of immovable property, dated 16.06.2020, under proceeding No.Nil, on the file of the second respondent and to quash the same as illegal and direct the respondents to treat the petitioners at par with the flower cultivators of Nilgiris District who have been permitted to settle 50% of the principal amount on account of the failure of the flower cultivation as happened to the petitioners.

For Petitioner	: Mr.Thalaimutharasu
For Respondents	: Mr.R.Murugan
	Government Advocate
	for R.1, R.4 to R.7
	: Mr.R.Pandivel
	Standing Counsel for R.2 and R.3
	* * * * *

ORDER

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

The petitioner challenges the impugned auction sale notice dated 16.06.2020, in and by which, the date of auction sale was fixed on 17.07.2020.

2. The learned Counsel appearing for the respondents 2 and 3, on instructions, would submit that there were no bidders in auction and as such, there is nothing survives for adjudication in the challenge made to the said auction sale notice.

3. The learned Counsel appearing for the petitioner would submit that in respect of the second portion of the prayer is concerned, the petitioner may be permitted to submit a representation to the concerned officials.

4. If the said remedy available to the petitioner, he may do so.

5. In the light of the above facts and circumstances, this Court is of the considered view that nothing remains for further adjudication in this writ petition and therefore, the Writ Petition is dismissed as infructuous, subject to the above observations. No



costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD II)

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/ /2020

Sub Assistant Registrar(CS)

SSL

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Government of Tamil Nadu,
represented by its Secretary,
Department of Agriculture,
Fort St.George,
Chennai-600 009.
- 2.The Director,
Tamil Nadu Horticulture Development Agency,
(TANHODA), Agriculture Complex,
1st floor, Chepauk, Chennai-600 005.
- 3.The District Collector,
Dindigul District, Dindigul.
- 4.The District Collector,
Nilgiris District, Nilgiris.
- 5.The Commissioner,
Horticulture and Plantation Crops,
3rd Floor, Agriculture Complex,
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