



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

C.M.P(MD)No.8857 of 2019

in

Rev.Appl(MD)SR.No.65524 of 2019

J.B.Blessy Litta

.. Petitioner

Vs.

1.Thangarajan

2.The Managing Director,
Tamil Nadu Industrial Investment Corporation,
Anna Salai, Nandhanam,
Chennai - 600 035.

3.The Branch Manager,
Tamil Nadu Industrial Investment Corporation,
No.37, Cap Road, Nagercoil,
Kanyakumari District.

4.S.Arul

... Respondents

Prayer: Petition is filed under Section 151 CPC to grant leave to the review petitioner to file the above review application to reconsider and review the order dated 28.08.2018 in W.A(MD) No.1169 of 2014 passed by this Court.

Prayer in WA(MD)No.1169 of 2014

To Writ Appeal filed under clause 15 of the letters Patent Act against the order dated 01.09.2014 made in WP(MD)No.14878/2010 on the file of this Hon'ble High Court, Madurai.

Prayer in WP(MD)No.14878 of 2010

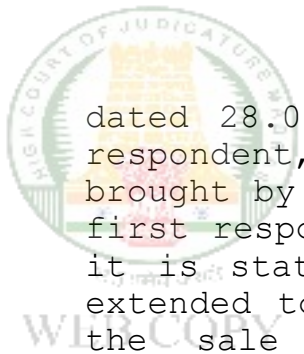
Writ petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of order or a Direction particularly in the nature of Writ of Certiorarified Mandamus calling for the records in connection with the impugned auction cum Sale notice as published in Daily Thanthi on 12.1.2010 and subsequent sale on dated 05.03.2010 quash the entire proceedings and consequently direct to the respondents permit the petitioner to pay the dues to the second respondent with regard to the Sreeja Auditorium.

For Petitioner : Mr.A.Rajkumar Sen

ORDER

The review petitioner is a third party, who is seeking leave to review the order passed by this Court in W.A(MD)No.1169 of 2014

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dated 28.08.2018. She claims to be the purchaser from the fourth respondent, who had in turn purchased the same in the auction, brought by the respondents 2 and 3 for the default committed by the first respondent. The sale is set aside in the writ appeal. Further it is stated that the doctrine of *bona fide* purchaser cannot be extended to him and the respondent Corporation was directed to pay the sale amount received from the fourth respondent/auction purchaser. Therefore, if at all the petitioner has got any right, she can work out her remedy with her vendor. In the absence of any error apparent on the face of the record, this petition cannot be entertained and the leave is refused. Consequently, Rev.Appl(MD) SR.No.65524 of 2019 is rejected.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Mj

+1cc to M/S.Rajkumar Sen, Advocate, sr.No.7923

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SMA/06/03/2020/2P/2C