



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2021

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.27541 of 2021

1.SNJ Distillers Pvt Ltd
rep. by its Authorised Signatory
R.Anbalagan, 99, Canal Bank Road
CIT Nagar, Nandanam
Chennai - 600 035.

2.Empee Distilleries Limited
rep. by its Authorised Signatory
R.Anbalagan, 99, Canal Bank Road
CIT Nagar, Nandanam
Chennai - 600 035.

.. Petitioners

Vs

1.The Authorised Officer
Zonal SASTRA Circle
Punjab National Bank, PNB Towers
No.46-49, Royapettah High Road
Royapettah, Chennai - 600 014.

2.Appollo Distilleries and Breweries Private Limited
Empee Tower, No.59
Harris Road, Pudupet
Chennai - 600 002.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of certiorari calling for the records pertaining to the impugned sale auction notice dated 16.12.2021 issued by the first respondent and quash the same as being contrary to the orders of this court dated 4.8.2021 in W.P.No.3659 of 2021 and as being contrary to Section 9(1) of the SARFAESI Act, 2002.



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For the Petitioners : Mr.Arvind Pandian
Senior Counsel
for Mr.Avinash Krishnan Ravi

For the Respondents : Mr.M.L.Ganesh
for 1st respondent

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

This writ petition has been filed by the petitioners challenging the e-auction sale notice dated 16.12.2021 issued by the first respondent.

2. Learned counsel appearing for the first respondent bank has produced a copy of the notice dated 17.12.2021 whereby the e-auction sale notice dated 16.12.2021 issued by the first respondent bank has been recalled with liberty to issue afresh.

3. In view of the recalling of the impugned e-auction sale notice dated 16.12.2021, we are not required to express any opinion on this matter or even on the maintainability of the writ petition. It is made clear that in case, any notice is issued afresh, the petitioners are at liberty to avail the remedy in accordance with law.

4. The writ petition is closed with the aforesaid observation. There will be no order as to costs. Consequently, W.M.P.Nos.29083 to 29085 of 2021 are closed.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To:

The Authorised Officer
Zonal SASTRA Circle, Punjab National Bank, PNB Towers
No.46-49, Royapettah High Road, Royapettah, Chennai - 600 014.

W.P.No.27541 of 2021

AD (CO)
PR (28/12/2021)