



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition No.3634 of 2012
and M.P.No.2 of 2012

P.M.Karuppusamy

...Petitioner

Vs.

The Branch Manager
Tamil Nadu Industrial Investment
Corporation Ltd., United Shopping
Complex 1st floor, No.94
Dr.Nanjappa Road
Coimbatore - 18.

...Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari calling for the entire records relating to the Auction Sale Advertisement No.TIIC/CBE/RO/2011-12/07, dated 23.01.2012 of the respondent published in Dinathanthi dated 01.02.2012 and quash the same.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.I.Sathish
Counsel for TIIC
for Mr.P.Narayanamoorthy

O R D E R

This Writ Petition is filed challenging the public auction notice of the respondent dated 23.01.2012 published in Dinathanthi dated 01.02.2012 to bring the property of the petitioner for auction sale.

2.Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing for the respondent and perused the materials on record.



3.At the time of admission on 15.02.2012, this Court granted an interim order permitting the respondent to proceed with the auction, but not to confirm the auction till the disposal of the Writ Petition.

4.The learned counsel appearing for the petitioner submitted that as per the order of this Court, the petitioner paid a sum of Rs.1,50,000/-, Rs.29,500/- and Rs.50,000/-, totally Rs.2,29,500/-. The learned counsel appearing for the petitioner further submitted that the petitioner will give representation to the respondent for one time settlement.

5.The learned counsel appearing for the respondent submitted that the petitioner borrowed a sum of Rs.1,70,000/- on 26.03.1990 and he has not repaid the said amount. In view of the same, the property of the petitioner was brought for sale by conducting public auction. The public auction was conducted on 16.02.2012 and the highest bid was Rs.7,80,000/-. The learned counsel appearing for the respondent further submitted that now the respondent is offering one time settlement even for the amount below Rs.10,00,000/- and it is open to the petitioner to make a representation to the respondent for one time settlement.

6.Recording the above submissions made by both sides, the Writ Petition is disposed of directing the petitioner to give a representation to the respondent for one time settlement within a period of three(3) weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondent is directed to consider the same and pass orders on merits and in accordance with law, within a period of four(4) weeks thereafter and till such time, not to confirm the auction. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

The Branch Manager
Tamil Nadu Industrial Investment
Corporation Ltd., United Shopping
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Dr.Nanjappa Road
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+1 CC to Mr.C.Prakasam, Advocate sr 19858

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KK (CO)
SP (18/04/2022)