



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.10242 OF 2022

AND

W.M.P.NOS.9956 & 9960 OF 2022

M/s.Selvarani Spinning Mills Pvt. Ltd.,
Rep. By its Director,
K.Chandra Sekar,
S.F.No.245-E, Pulanikinar (Post),
Udumalpet Taluk,
Tiruppur District - 642 122.

... Petitioner

.Vs.

1. The Regional Provident Fund Commissioner
and The Recovery Officer, Regional Office,
Employees Provident Fund Organization,
Bhavaishya Nidhi Bhavan,
P.B.No.3875, Dr.Balasundaram Road,
Coimbatore - 641 018.
2. The Enforcement Officer,
District Office,
Employees Provident Fund Organization,
Pollachi.
3. The Board for Industrial and
Financial Reconstruction,
Jawahar Vyapar Bhavan,
1, Tolstoy Marg,
New Delhi - 110 001.
4. The Deputy General Manager,
Central Bank of India,
14-15, Variety Hall Road,
Coimbatore - 641 001.
5. Employees State Insurance Corporation,
1897, Trichy Road,
Panchadeep Bhavan,
Ramanathapuram,
Coimbatore - 641 045.



6. The Commissioner,
Income Tax Department,
Race Course Road,
Coimbatore.

7. M/s.Sundaram Finance Limited,
21, Patulas Road,
Chennai - 22.

8. The Commissioner,
Sales Tax Department,
Dr.Balasundaram Road,
Coimbatore - 641 018.

9. The National Textile Workers Union (INTUC),
Rep. By its Secretary,
Mr.Selvaraj,
1848, Trichy Road,
Ramanathapuram,
Coimbatore - 641 045.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the entire records pertaining to the proclamation of sale dated 23.03.2022, vide proceedings in TN/CB-CBE/RECOVERY/CC-24/10661/2022 of the first respondent and quash the same and consequently direct the first respondent to extend the time in the certificate to defaulter authorizing the petitioner to sell the property dated 18.02.2022 issued by the first respondent vide his proceedings in TN/CB-CBE/RECOVERY/CC-24/10661/2022 dated 18.02.2022 by taking into consideration of the Memorandum of Understanding dated 13.04.2022.

For Petitioner : Mr.R.Selvakumar

For Respondents : Mrs.R.Meenakshi
Standing Counsel
For R1

Mr.S.Saravanan
For R9

M.R.Siddharth
Government Advocate
For R8



O R D E R

The learned Standing Counsel for the first respondent informed the Court that the conditional order dated 21.04.2022 has not been complied with by the petitioner and the respondents have proceeded with the auction pursuant to the sale notice and the auction was also confirmed in favour of the successful bidder vide proceedings dated 23.05.2022 and therefore, in the light of the above development, nothing survives for adjudication and the writ petition has become infructuous.

2. In the light of the above submission made by the learned Standing Counsel for the first respondent, the Writ Petition stands dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Jvm

To

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and The Recovery Officer, Regional Office,
Employees Provident Fund Organization,
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Race Course Road,
Coimbatore.

7. The Commissioner,
Sales Tax Department,
Dr.Balasundaram Road,
Coimbatore - 641 018.

+1cc to Mrs.R.Meenakshi, Advocate, S.R.No.32714
+1cc to Mr.S.Saravanan, Advocate, S.R.No.32810
+1cc to Mr.R.Selvakumar, Advocate, S.R.No.32886

W.P.NO.10242 OF 2022

SR(CO)
PBS/17/06/2022