



WEB COPY



W.P.No.30225 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.30225 of 2022

M/s.Digital Accelator Limited
(Formerly Marg Realities Limited)
rep. by its Authorised Signatory K.S.Gajendra Babu,
57/2B, Sai Subodhaya Apartments,
East Coast Road, Thiruvanmiyur,
Chennai-600 041.

.. Petitioner

Vs

1.The Recovery Officer,
Debts Recovery Tribunal-III,
6th Floor, Additional Office Building,
Shastri Bhavan, Haddown Road,
Nungambakkam,
Chennai-600 006.

2.M/s.ICICI Bank Limited,
rep. by its Chief Manager,
No.1, Cenatoph Road,
Teynampet, Chennai-600 018.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari calling for the records pertaining to the impugned corrigendum dated 5.11.2022 issued by the first



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respondent and the consequential proclamation of sale dated 5.11.2022 issued by the first respondent vide his proceedings in T.R.C.No.50/22 under Rules 37, 38 and 52(1)(2) of Second Schedule to the Income Tax Act, 1961 read with Recovery of Debts and Bankruptcy Act, 1993 and quash the same.

For the Petitioner : Mr.V.Chandrasekaran

For the Respondents : Mr.Om Prakash
Senior Counsel
for M/s.Ramalingam Associates
for respondent No.2

R1 - Tribunal

ORDER

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

When the matter is taken up today, Mr.Om Prakash, learned senior counsel appearing for the second respondent, submitted that the proclamation of sale dated 05.11.2022 for the e-auction to be held on 16.11.2022 has been withdrawn/cancelled by the Recovery Officer, Debts Recovery Tribunal-III. Therefore, the prayer made in the writ petition has rendered infructuous.

2. Recording the submission made by learned senior counsel for



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the second respondent, the writ petition is dismissed as infructuous.

There will be no order as to costs. Consequently, W.M.P.No.29656 of 2022 is closed.

(T.R., ACJ.) (D.K.K., J.)
01.12.2022

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To:

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