



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.5178 of 2022

and W.M.P. (MD) .Nos.4212 & 4213 of 2022

WEB COPY

P.Ganapathy

.. Petitioner

Vs

The Branch Manager,
Tamilnadu Industrial Investment Corporation Ltd.,
(Sponsored by the Government of Tamilnadu),
No.33, K.R.T.Building, 11th Floor,
Promenade Road, Cantonment,
Trichy District.

.. Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for records relating to the impugned Tender Cum Auction notice, dated 26.02.2022, published in "Daily Thanthi" News Paper in Column No.4 of the said notice, thereby fixing the Tender Cum Auction sale on 25.03.2022, at 11.00 a.m., with respect to auctioning of the petitioner's Rice Mill namely machineries as well as other items as mentioned in the said impugned notice and quash the same.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.R.Saravanan
Standing Counsel

ORDER

This writ petition has been filed challenging the impugned Tender Cum Auction notice, dated 26.02.2022, published in "Daily Thanthi" News Paper in Column No.4 of the said notice, thereby fixing the Tender Cum Auction sale on 25.03.2022, at 11.00 a.m., with respect to auctioning of the petitioner's Rice Mill namely machineries as well as other items as mentioned in the said impugned notice.

2.Heard Mr.B.Prahalad Ravi, learned counsel for the petitioner and Mr.R.Saravanan, learned Standing Counsel, who accepts notice on behalf of the respondent.

3.The learned counsels appearing for the respective parties have obtained consent from their respective clients for issuing the following directions. By consent of both parties, the following directions are issued.



- a) The petitioner shall pay a sum of Rs.5,00,000/- (Rupees Five Lakhs only) on or before 31.03.2022, to the respondent.
- b) The petitioner shall pay the second installment of Rs.7,00,000/- (Rupees Seven Lakhs only) to the respondent on or before 15.04.2022.
- c) On payment of the aforesaid amounts within the stipulated time, the respondent shall consider one time settlement and give an offer for the same to the petitioner, within a period of four weeks from 15.04.2022.
- d) The petitioner shall pay the one time settlement amount as directed by the respondent, within the time stipulated by the respondent.
- e) The auction challenged in this writ petition shall go on, however, results shall not be declared by the respondent and the contract shall not be awarded to the highest bidder without approval of this Court.
- f) However, it is made clear that in case of default in the payment of the installments by the petitioner as stated supra, the respondent is at liberty to declare the results of the auction and confirm the sale in favour of the highest bidder.

4. In terms of the above mentioned directions, which have been issued by consent of both parties, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

TM

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.



To

The Branch Manager,
Tamil Nadu Individual Investment Corporation Ltd,
(Sponsored by Government of Tamil Nadu),
33, KRT Building, IInd Floor, Promenade Road,
Contanment Trichy.

+1 CC to Mr.B.PRAHALAD RAVI, Advocate (SR-13831[F]
dated 23/03/2022)

+1 CC to Mr.R.SARAVANAN, Advocate (SR-14461[F] dated 25/03/2022)

W.P. (MD)No.5178 of 2022
23.03.2022

NSN (CO)
PA(06.04.2022) 3P 4C