



**W.P.(MD) No.24625 of 2022**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 19.12.2022**

**CORAM:**

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR**

**and**

**THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD) No.24625 of 2022**  
**and W.M.P.(MD)No.18708 of 2022**

1.M/s.Kodai Automobiles Limited,  
Rep. by its Director,  
No.176-B/3, Trivandrum Road,  
Palayamkottai,  
Tirunelveli – 627 002.

2.S.G.Jayaraj Nadar and Son,  
No.176B, Trivandrum Road,  
Palayamkottai, Tirunelveli – 627 002.

... Petitioners

**Vs.**

1.The Authorized officer,  
Axis Bank Limited,  
Southern Recovery Cell,  
1<sup>st</sup> Floor, Old No.3, New No.3,  
Club House Road,  
Anna Salai, Chennai – 600 002.



**W.P.(MD) No.24625 of 2022**

WEB COPY

2.The Branch Manager,  
Axis Bank Limited,  
SN High Road,  
Opp. Schaffter High School,  
Tirunelveli – 627 001.

3.The Deputy Commissioner of CGST  
and Central Excise,  
Tirunelveli Division,  
Central Revenue Building,  
2<sup>nd</sup> Floor, Tractor Street,  
NGO 'A' Colony,  
Tirunelveli – 627 007.

4.The Commissioner of GST  
and Central Excise,  
Bibikulam, Madurai.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent to release the property documents pertaining to property located at S.Nos. 930/2, 176B/5A, Trivandrum Road, Palayamkottai, Tirunelveli to the 1<sup>st</sup> petitioner without insisting for production of revocation letter from the office of the 3rd respondent as indicated in the OTS Settlement in the proceedings of the 1st respondent in ref. AXISB/SAG/SOUTH/2022-23/55 dated 28.09.2022 or in the alternative, directing the 1<sup>st</sup> respondent to extent the time to comply with the 2<sup>nd</sup> installment payable to the 1st respondent bank as per the payment schedule in OTS Settlement.



WEB COPY

**W.P.(MD) No.24625 of 2022**

For Petitioner : Mr.B.Saravanan  
For Respondents : No Appearance

## **ORDER**

**[Order of the Court was made by D.KRISHNAKUMAR, J.]**

The learned counsel appearing for the petitioner submitted that subsequent to the filing of this Writ Petition, the petitioner has approached the bank for One Time Settlement and the said offer has been accepted by the respondents Bank and therefore, this Writ Petition has become infructuous.

2. Recording the aforesaid submissions, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

**[D.K.K., J.]                      [R.V., J.]**

**19.12.2022**

Index : Yes / No  
Internet : Yes / No  
vsm

***Page 3 of 4***



WEB COPY



**W.P.(MD) No.24625 of 2022**

**D.KRISHNAKUMAR, J.**  
**and**  
**R.VIJAYAKUMAR, J.**

vsm

To

1.The Authorized officer,  
Axis Bank Limited,  
Southern Recovery Cell,  
1<sup>st</sup> Floor, Old No.3, New No.3,  
Club House Road,  
Anna Salai, Chennai – 600 002.

2.The Branch Manager,  
Axis Bank Limited,  
SN High Road,  
Opp. Schaffter High School,  
Tirunelveli – 627 001.

3.The Deputy Commissioner of CGST  
and Central Excise,  
Tirunelveli Division,  
Central Revenue Building,  
2<sup>nd</sup> Floor, Tractor Street,  
NGO 'A' Colony,  
Tirunelveli – 627 007.

4.The Commissioner of GST  
and Central Excise,  
Bibikulam, Madurai.

**W.P.(MD) No.24625 of 2022**

**19.12.2022**