



W.P.No.1776 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVU

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1.M/s.TR Venkatachalan Chetty,
rep. by its Partner S.Malliga,
164/65, Kumbakonam Road,
Panruti-607 106
Cuddalore District, Tamil Nadu.

2.S.Malliga
3.B.Vasuki

.. Petitioners

Vs

1.Taminad Mercantile Bank,
rep. by its Authorised Officer,
No.17, Chennai Salai,
Panruti-607 106
Cuddalore District.

2.M/s.Gayathri Cashew,
rep. by its Partners,
No.113, North Street,
Panikkankuppam, Pantuti-607 106
Cuddalore District,
Tamil Nadu.



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3.M/s.Deepa Foundation,
No.12, Mariamman Kovil Street,
Thirupapliyur,
Cuddalore-607 002.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus to call for the records relating to the case in I.A.No.165 of 2022 in S.A.No.67 of 2022 pending on the file of the Debts Recovery Tribunal-I, Chennai and transferred and now pending on the file of the Debts Recovery Tribunal-II, Chennai and quash the order dated 6.6.2022, in so far as the consequential liberty given to the first respondent bank to proceed further with the property measuring an extent of 3.00 acres in New S.No.87/4, present sub division no.87/4A1A1, Old S.No.436/1, 437/2, 437/3, 437/4, 438, 439/2, 440/2, 441/1, 441/3, 441/4A1, 441/4A2, 441/4B, 442/2, 443/2, 444, 445/2A 445/2B and 213/2 situated at Chennai Road, Lakshminarayanapuram Village, Panruti in the event of failure on the part of the second respondent to comply with the conditional deposit of 25% of the amount due and consequently direct the respondents to maintain status quo until the disposal of the applications in S.A.No.182 of 2022 and S.A.No.342 of 2022 on merits by Debts Recovery Tribunal-II, Chennai.

For the Petitioners : Mr.V.Anil Kumar

For the Respondents : Mr.S.Sethuraman
for respondent No.1

: Mr.Sathish Parasaran
Senior Counsel
for Mr.S.Manivasagam
for respondent No.3



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ORDER

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

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We have heard Mr.V.Anil Kumar, learned counsel for the petitioners; Mr.S.Sethuraman, learned counsel for the first respondent and Mr.Sathish Parasaran, learned Senior Counsel for the third respondent.

2. Learned counsel for the petitioners submits that the Securitisation Applications have been argued before the Debts Recovery Tribunal and are now posted for orders on 25.08.2023.

3. In the light of that, nothing survives for adjudication in the present writ petition. The writ petition, as such, is disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.1895 and 2164 of 2023 are closed.

(S.V.G., C.J.)

(P.D.A., J.)

21.08.2023

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKE SAVALU, J.

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