



WEB COPY



W.P.No.13534 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

W.P.No.13534 of 2020 and  
W.M.P.Nos.16765 & 20444 of 2020

Phoenix ARC Pvt. Ltd.,  
Acting as Trustee on behalf of  
Phoenix ARF Scheme 3  
5th Floor, Dani Corporate Park, 158 CST Road,  
Kalina, Santacruz (E), Mumbai 400 098  
Rep. by its Authorised Officer

... Petitioner

Vs.

1. The Recovery Officer,  
Employees' Provident Fund Organisation,  
Ministry of Labour & Employment,  
Government of India, Regional Office,  
P.B.No.588, Shree Complex,  
'D' Block, No.18, Madurai Road,  
Trichy - 620 008.
2. The Official Liquidator,  
High Court, Madras  
as the Liquidator of  
M/s.Sree Uma Parameswari Mills Ltd.,  
(in Liquidation) Corporate Bhavan, 2nd Floor,  
No.29, Rajaji Salai,  
Chennai - 600 001.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of Certiorari, to call for records of the first respondent culminating in the impugned order of the first Respondent in Ref No. Recy / CB / TRY / 153 / TRY III / 2020, dated 20.03.2020 (20.08.2020) delivered to the petitioner on 20.08.2020 and the consequent reminder letter in Ref. No.CB / TRY / 153 / TRY-III / RO.TRY / 2020, dated 20.08.2020 / 24.08.2020 on the file of the first Respondent and quash the same as null and void being in derogation to the rights of the petitioner under the SARFAESI Act.

For Petitioner : No appearance

For Respondents : Mr.M.Palanimuthu,  
Standing Counsel (for R1)  
Ms.B.Ambili,  
Deputy Official Liquidator (for R2)

### **ORDER**

When the Writ Petition came up for hearing on 13.12.2023, there was no representation for the petitioner and hence the case was directed to be posted under the caption 'for dismissal' today.



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2. Even today, i.e., on 14.12.2023, when the matter is taken up for hearing, there is no representation for the petitioner. Hence, the Writ Petition is dismissed for non prosecution. No costs. Consequently, connected miscellaneous petitions are closed.

**14.12.2023**

Index: Yes/No  
Speaking/Non-Speaking order  
vum

To

1. The Recovery Officer,  
Employees' Provident Fund Organisation,  
Ministry of Labour & Employment,  
Government of India, Regional Office,  
P.B.No.588, Shree Complex,  
'D' Block, No.18, Madurai Road,  
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**R. HEMALATHA, J.**

vum

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14.12.2023