



WEB COPY



W.P.No.14955 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2023

CORAM :

THE HON'BLE MR. JUSTICE R. MAHADEVAN
AND
THE HON'BLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.No.14955 of 2017 &
M.P.Nos.16184 & 19290 of 2017

Mr.M.V.Chinna Durai

... Petitioner

Vs.

1.Indian Overseas Bank,
Selaiyur Branch,
Plot No.11, Ganesh Nagar,
Selaiyur, Vellacherry Main Road,
Chennai - 600 073.

2.The District Magistrate / District Collector,
Thiruvallur District,
Collectorate,
Thiruvallur.

3.The Tahsildar,
Poonamallee Taluk,
Taluk Office Poonamallee,
Thiruvallur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorarified Mandamus, to call for the records of the third respondent in proceedings No.RC No.8665/2016/M2, dated 05.05.2017 directing the second respondent to take possession under Section 14(1) of SARFAESI Act,



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2002 and quash the same and direct the third respondent to hold fresh enquiry after giving proper opportunity to the petitioner.

For petitioner : Mr.K.S.Sundar

For respondents : Mr.F.B.Benjamin George

Mr.M.Murali
Government Advocate for R2 & R3

ORDER

(Order of the Court was made by R. MAHADEVAN, J.)

This writ petition has been filed by the petitioner to quash the proceedings of the third respondent in RC No.8665/2016/M2, dated 05.05.2017 and consequently, direct the second respondent to take possession under Section 14(1) of the SARFAESI Act, 2002, after holding fresh enquiry, as per law.

2. Today, when the matter was taken up for hearing, the learned counsel for the petitioner as well as the learned standing counsel appearing for the respondent Bank in unison submitted that subsequent to the proceedings initiated under Section 14 of the SARFAESI Act, possession of the property was



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handed over to the auction purchaser and therefore, nothing survives for adjudication in this writ petition.

3. Recording the above submission, the Writ Petition is closed. No costs. Consequently, connected miscellaneous petitions are also closed.

[R.M.D,J.] [M.S.Q, J.]
24.01.2023

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Non-Speaking Order

Internet : Yes.

Index : No.



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R. MAHADEVAN, J.
and
MOHAMMED SHAFFIQ, J.

r n s

To

- 1.The District Magistrate / District Collector,
Thiruvallur District,
Collectorate,
Thiruvallur.
- 2.The Tahsildar,
Poonamallee Taluk,
Taluk Office Poonamallee,
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