



WEB COPY



W.P. No.494 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2023

CORAM:

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

W.P. No.494 of 2023
and WMP No.451 of 2023

Indian Overseas Bank
Asset Recovery Management Branch
No.11/952, Cross Cut Road,
Coimbatore – 641 012.

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Petitioner

vs.

1. The Tax Recovery Officer-2,
Income Tax Office,
No.67-A, Race Course Road,
Race Course, Gopalapuram,
Coimbatore,
Tamil Nadu – 641 018.

2.M/s.Shara Faabrics,
Partnership Firm
represented by its Partnership
SF No.287/1, Asaithambi Thottam,
Ramanathapuram Pudhur,
Bhawani Main Road, Erode – 638 005

3.Mr.B.Ravikumar

4.Mrs.R.Rajeswari

5.The Sub Registrar
Erode Joint II,
Erode.

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Respondents



W.P. No.494 of 2023

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to remove the attachment effected on 01.12.2017 with the office of the 5th respondent in respect of secured property belonging to the 4th respondent so as to enable the petitioner bank or its successors to register the sale certificate in favour of auction purchaser in accordance with law.

For Petitioner	:	Mr.M.L.Ganesh
For R-1	:	No appearance
For R2 to R4	:	Not ready in notice
For R-5	:	Mr.S.Ravikumar, Special Govt. Pleader

ORDER

This writ petition is filed for issuance of writ of mandamus to direct the first respondent to remove the attachment effected on 01.12.2017 with the office of the 5th respondent in respect of secured property belonging to the 4th respondent so as to enable the petitioner bank or its successors to register the sale certificate in favour of auction purchaser in accordance with law.

2. When the matter is taken up for hearing, the learned counsel



W.P. No.494 of 2023

appearing for the petitioner submitted that since the sale certificate has already been registered in favour of the auction purchaser, nothing survives in the writ petition for adjudication.

3. Recording the submission made by the learned counsel for the petitioner, this writ petition is dismissed as having become infructuous. No costs. Consequently connected Miscellaneous Petition is closed.

08.11.2023

Index: Yes/No
Speaking/Non-Speaking Order
Neutral Citation: Yes/No.
rgr

To

1.The Tax Recovery Officer-2,
Income Tax Office,
No.67-A, Race Course Road,
Race Course, Gopalapuram,
Coimbatore,
Tamil Nadu – 641 018.

2.The Sub Registrar
Erode Joint II,
Erode.



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W.P. No.494 of 2023

KRISHNAN RAMASAMY, J.

rgr

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