



WMP(MD) No.19241 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Special Original Jurisdiction)

Wednesday, the First day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice S.M.SUBRAMANIAM

and

The Hon`ble Mr.Justice V.LAKSHMINARAYANAN

WMP(MD) No.19241 of 2023

IN

WP(MD) No.5541 of 2023

SYED APPAS

... PETITIONER/3RD RESPONDENT

Vs

1 THE RECOVERY OFFICER

EMPLOYEES PROVIDENT FUND ORGANIZATION,

DISTRICT OFFICE, AKM COMPLEX, OLD

VIRUDHUNAGAR ROAD,

SIVAKASI - 626 189,

VIRUDHUNAGAR DISTRICT.

... 1ST RESPONDENT/WRIT PETITIONER

2 ASSISTANT GENERAL MANAGER AND AUTHORIZED OFFICER,

STATE BANK OF INDIA,

STRESSED ASSETS MANAGEMENT BRANCH,

1112, RAJA PLAZA, AVINASHI ROAD,

COIMBATORE - 641 037.

... 2ND RESPONDENT/1ST RESPONDENT

3 M/S.AMARAVATHI SPINNING MILS (RJPM) P. LTD.

SANKARAN KOIL ROAD,

CHOLAPURAM,

RAJAPALAYAM - 626 139.

... 3RD RESPONDENT/2ND RESPONDENT

4 THE SUB REGISTRAR

RAJAPALAYAM,

VIRUDHUNAGAR DISTRICT.

... 4TH RESPONDENT/4TH RESPONDENT

(THE NOTICE TO THE 3RD RESPONDENT HEREIN BEING THE ORIGINAL
BORROWER, MAY BE DISPENSE WITH IN THIS WRIT MISCELLANEOUS

PETITION)

<https://www.mmc.tn.gov.in/judis>



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Writ Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to direct the 4th respondent to receive all the Sale Deeds or other Deeds to be present by petitioner in respect of the properties in Sy.No.1263/1, 1263/2, 1263/3, 1264/2B2, 1264/3B, 1264/2B1, 1264/3A2, measuring an total extent of 4.5 Acres in Cholapuram Village, Rajapalayam Taluk, Virudhunagar District and to registered the same and to enter the deeds in the Encumbrance Certificate.

Prayer in WP(MD). 5541/ 2023 :

To issue a Writ of Certiorari, calling for the records relating to impugned Sale Certificate registered in Document No.6355 of 2022 before the 4th respondent, dated 30.11.2022 and quash the same.

ORDER : This Writ Miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.P.M.VISHNU VARTHANAN, Advocate for the petitioner and of MR.P.PETHU RAJESH, Advocate on behalf of the 1st Respondent and MR.T.AMJADKHAN, Government Advocate on behalf of the Respondent No.4, the court made the following order:-

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The learned counsel for the third respondent made a statement that the third respondent is the auction purchaser and he is ready and willing to pay the entire dues.

2.The third respondent is directed to take interest bearing Fixed Deposit for a sum of Rs.16,21,101/- (Rupees Sixteen Lakhs Twenty One Thousand Hundred and One only) in any one of the nationalised Banks in the name of the Registrar Judicial, Madurai Bench of Madras High Court to the credit of W.P.(MD)No.5541 of 2023 and hand over the original receipt to the Registrar (Judicial), Madurai Bench of Madras High Court, Madurai, who in turn is directed to keep the same in a safe custody until



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further orders of this Court.

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3.List this case next week.

sd/-

01/11/2023

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/11/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE RECOVERY OFFICER
EMPLOYEES PROVIDENT FUND ORGANIZATION,
DISTRICT OFFICE, AKM COMPLEX, OLD
VIRUDHUNAGAR ROAD, SIVAKASI - 626 189,
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2 THE ASSISTANT GENERAL MANAGER AND AUTHORIZED OFFICER,
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1112, RAJA PLAZA, AVINASHI ROAD,
COIMBATORE - 641 037.

3 THE SUB REGISTRAR
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.

COPY TO

THE REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.M.VISHNUVARTHANAN, Advocate (SR-15868[I] dated
02/11/2023)



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ORDER

IN

WMP(MD) No.19241 of 2023

IN

WP(MD) No.5541 of 2023

Date :01/11/2023

RS/VRS/SAR-(08.11.2023) 4P 6C

Madurai Bench of Madras High Court is issuing
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