



W.P.No.3976 of 2003

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.3976 of 2003
and
W.M.P.No.44262 of 2004

Canara Bank,
Thousand Lights Branch,
Chennai – 600 006.

... Petitioner

Vs.

1.The Tahsildar,
Vaniyambadi,
Vellore District.

2.The Collector,
Vellore District, Vellore.

3.M/s.Akber Leathers Limited,
Represented by its Director Perveez Akber,
105, Harrington Road,
Chetpet, Chennai – 600 031.

4.Perveez Akber

5.M.R.Kantharaj
(R5 impleaded vide order of this Court dated 09.09.2009
in W.M.P.No.16569 of 2006 in W.P.No.3976 of 2003)

... Respondents



W.P.No.3976 of 2003

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the Notification published in Vellore District Gazette No.4 dated 28.01.2002 in Na.Ka.No.C4/9878/2000 dated 07.01.2002 by the first respondent and the auction held on 09.01.2003 pursuant to the said Notification and quash the same.

For Petitioner : Mr.G.Bharadwaj

ORDER

This Writ Petition has been filed for a Certiorarified Mandamus, to call for the records relating to the Notification published by the first respondent in Vellore District Gazette No.4 dated 28.01.2002 in Na.Ka.No.C4/9878/2000 dated 07.01.2002 and the Auction held on 09.01.2003 pursuant to the said Notification and to quash the same.

2. The challenge in the present writ petition is the Auction Sale held on 09.01.2003.



W.P.No.3976 of 2003

WEB COPY

3. The Office of the Official Liquidator had also challenged the Auction Sale in Comp.A.No.1087 of 2008 in C.P.No.14 of 1997 under Section 536(2) of the Companies Act, 1956. The Company Application was dismissed on 26.03.2013 and thereafter a further appeal before the Hon'ble Division Bench of this Court in O.S.A.No.3 of 2015 was also dismissed on 21.01.2015. A further appeal before the Hon'ble Supreme Court in SLP(C).No.22275 of 2015 was also dismissed on 05.08.2022.

4. Therefore, the attempt of the petitioner to challenge the sale by the Revenue Authority viz., The Tahsildar, Vaniyambadi, Vellore District at this distant point of time is of no consequence. The petitioner appears to have been merged with Syndicate Bank. No steps have been taken to prosecute the present writ petition.

5. Considering the same, this Writ Petition is closed for statistical purpose with liberty to the petitioner to restore the same in case there are available materials to pursue with the present writ petition. Connected



W.P.No.3976 of 2003

Writ Miscellaneous Petition is also closed. There shall be no order as to costs.

08.03.2024
(1/2)

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No
arb

To

- 1.The Tahsildar,
Vaniyambadi,
Vellore District.
- 2.The Collector,
Vellore District, Vellore.



WEB COPY



W.P.No.3976 of 2003

C.SARAVANAN, J.

arb

W.P.No.3976 of 2003
and
W.M.P.No.44262 of 2004

08.03.2024
(1/2)