



W.P.No.5044 of 2003

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.5044 of 2003

Vijaya Bank,
Moore Street Branch,
Chennai – 600 001.

... Petitioner

Vs.

1.The Tahsildhar,
Vaniyambadi,
Vellore District.

2.The Collector,
Vellore, Vellore District.

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

4.Perveez Akber

... Respondents

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



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For Petitioner : Mr.G.Bharadwaj

ORDER

This Writ Petition has been filed for a Certiorarified Mandamus, to call for the records relating to the proceedings of the Tahsildhar, Vaniyambadi, Vellore District, the first respondent herein made in Na.Ka.C/4/9878/2000 dated 07.01.2002 and published in Vellore District Gazette No.4 dated 28.01.2002 and the auction held on 09.01.2003 pursuant to the said Notification and quash the same.

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

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



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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 Tahsildhar, Vaniyambadi, Vellore District at this distant point of time is of no consequence. The petitioner appears to have been merged with Bank of Baroda. 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. There shall be no order as to costs.

08.03.2024
(2/2)

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

arb

C.SARAVANAN, J.



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arb

To

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

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