



W.P. No. 4618 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 4618 of 2024

and

W.M.P. Nos. 5061 and 5062 of 2024

M/s. Cyspower Technologies,
Represented by its Proprietor,
Thiru. K.Sivakumar,
Having Registered Office at
74, Nethaji Street,
Velampalayam Pudur,
Ubhanoakku (P.O), Modakkurichi,
Erode – 638 104.

... Petitioner

-VS-

1. The Chairman & Managing Director,
State Industries Promotion Corporation of Tamil Nadu Limited,
No. 19-A, Rukmani Lakshmipathi Road,
Egmore, Chennai – 600 008.
2. The Chairman & Managing Director,
Tamil Nadu Industrial Investment Corporation Limited,
Anna Salai, Nandhanam,
Chennai – 600 035.
3. The Branch Manager,
Tamil Nadu Industrial Investment Corporation Limited,
C.S.Sengittiah Complex,
No. 23, Chidambaram Colony,
80, Feet Road, Periyar Nagar,
Erode – 638 001.



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4. The Project Officer,
SIPCOT Industrial Growth Centre,
Perundurai – 638 052,
Erode District.

5. The General Manager,
District Industries Centre,
Chennimalai Road,
SIDCO Industrial Estate Campus,
Erode – 600 001.

6. C1 India Pvt. Ltd.
Plot No. 68, 3rd Floor,
Sector – 44, Gurugram,
Haryana – 122 003.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling for the proceedings of the Third Respondent relating to his E-Auction Notice published in the “Daily Thanthi” and “Financial Express” dated 10.01.2024 DIPR/display/2024 and quash the same as illegal.

For Petitioner : Mr. S.Sivakumar
for Mr. K.Sasindran

For Respondents : Mr. K.Mahesh (for R2 & R3)

ORDER

Heard S.Sivakumar, Learned Counsel for the Petitioner and Mr. K.Mahesh, Learned Counsel takes notice for the Second and Third Respondents and perused the materials placed on record, apart from the pleadings of the parties.



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2. The Writ Petition has been filed challenging the e-auction Notice No. DIPR/display/2024 dated 10.01.2024 published by the Third Respondent in 'Daily Thanthi' and 'Financial Express' for sale of the secured property for the realization of the borrowings made by the Petitioner from the Second and Third Respondents.

3. Learned Counsel for the Second and Third Respondents, on instructions, states that as there was no bidders, auction has not taken place pursuant to the impugned notice and that a fresh notification would be issued whenever fresh auction is proposed to be conducted and he has made an endorsement to that effect in the court record. In view of the same, nothing remains for further consideration in the Writ Petition, but if the Petitioner still has any grievance to be redressed in the matter, he is not precluded from working out his remedy before proper forum in the manner recognized by law.

In fine, the Writ Petition is disposed on the aforesaid observations. Consequently, the connected Miscellaneous Petitions are closed. No costs.

23.02.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 18.04.2024.

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P.D. AUDIKESAVALU, J.

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