



WEB COPY



W.P. No. 7216 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2024

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

W.P. No. 7216 of 2020

and

W.M.P. Nos. 8627, 8628 and 18825 of 2020

M/s. Sri Annanmar Modern Rice Mill
Rep. By its Proprietor T. Mylendaran
RS No.502/10, Kanthalampudur
Sivagiri (via)
Erode District

... Petitioner

-VS-

1. The Secretary to Government of Tamil Nadu
Department of Industries
Fort ST. George,
Chennai 600 009.
2. The Managing Director
The Tamil Nadu Industrial Investment Corporation Ltd.
Head Office, MHU Complex,
692, Anna Salai,
Nandanam
Chennai 600 035.
3. The Branch Manager
Tamil Nadu Industrial Investment Corporation Ltd.,
Erode Branch,
C.S. Sengottaiah Complex,
II Floor, 23, Chidambaram Colony
80 Feet Road, Periyar Nagar,
Erode District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India,



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1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records made in Impugend Order No.TIIC/ERD/LAO/2019-20 dated 22.02.2020 on the file of the Third Respondent herein and quash the same as illegal and direct the Respondents to grant reasonable time to settle the loan amount after de-selling of Premises at No.502/10 Konthalampudur, Thattampalayam Post, Sivagiri (via), Erode District.

For Petitioner : Mr. R.Sankarasubbu

For Respondents : Mr. S.Prabhakar (for R1)
Government Advocate

Mr. K.Mahesh (for R2 and R3)

ORDER

Heard Mr. R.Sankarasubbu, Learned Counsel for the Petitioner, Mr. S.Prabhakar, Learned Government Advocate appearing for the First Respondent, and Mr. K.Mahesh, Learned Counsel for the Second and Third Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner, who had borrowed from the Second and Third Respondents, has filed this Writ petition challenging the auction notice dated 22.02.2020 for sale of the secured property.



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3. It has been brought to notice by Learned Counsel for the Second and Third Respondents that auction has not been conducted on 23.03.2020 pursuant to the impugned notice. It is further represented that when fresh auction is conducted, fresh valuation of the property would be made before fixing the upset price. 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 rights before the proper forum in the manner recognized by law.

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

22.02.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 18.04.2024.

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To

1. The Secretary to Government of Tamil Nadu



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Department of Industries
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P.D. AUDIKESAVALU, J.

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