



WEB COPY



W.P.No.13147 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2024

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.13147 of 2020
and W.M.P.No.16274 of 2020

Indian Overseas Bank
Asset Recovery Management Branch,
No.11/952, Cross Cut Road,
Coimbatore – 641 012.
Rep. by its Chief Manager

... Petitioner

Vs.

- 1.The Regional Provident Fund Commissioner-II and
Recovery Officer,
Employee Provident Fund Organisation,
Regional Office, Dr.Balasundaram Road,
Coimbatore – 641 018,
Tamil Nadu.
- 2.M/s.P.G.C.Corporation Ltd.,
No.5, Prem Garden,
Rajaji Nagar, P.N.Road,
Tirupur – 641 601.
- 3.Mrs.Akilandeewari Farms Pvt. Ltd.,
Rep. by its Director, Mr.D.Prem,
No.5A2, Rajaji Nagar,
P.N.Road, Tirupur – 641 602.



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4.M/s.Choleeswara Farms Pvt. Ltd.,
Rep. by its Director, Mr.D.Prem,
No.5A2, Rajaji Nagar,
P.N.Road, Tirupur – 641 602.

5.M/s.Duros Textiles India Pvt. Ltd.,
Rep. by its Director, Mr.D.Prem,
No.5A2, Rajaji Nagar,
P.N.Road, Tirupur – 641 602.

6.M/s.PGC Industries Pvt. Ltd.,
Rep. by its Director, Mr.D.Prem,
No.5A2, Rajaji Nagar,
P.N.Road, Tirupur – 641 602.

7.S.Duraisamy
(R2 to R7 deleted vide order dated 23.09.2020 made in W.P.No.13147 of
2020 by NAVJ)

8.Sub Registrar,
Palladam,
Tirupur District,
Tamil Nadu.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to remove the attachment dated 28.12.2017 with the office of the eighth respondent in respect of secured properties as mortgaged covered MOD executed on 22.04.2013, registered as Doc.No.6680/2013, MOD on 28.02.2006,



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registered as Doc.No.2278/2006 and supplemental MOD on 14.05.2013 registered as document No.6679/2013, SRO, Palladam so as to enable the petitioner bank or its successors to register the sale certificate/sale deed in favour of auction purchaser/third party(s).

For Petitioner : Mr.M.L.Ganesh

For Respondents 1 & 8 : M/s.R.Meenakshi,
Standing Counsel

For Respondents 2 to 7 : Deleted vide order dated 23.09.2020
by NAVJ

ORDER

The relief sought by the petitioner in this writ petition is to direct the respondents to remove the attachment dated 28.12.2017 with the office of the eighth respondent in respect of secured properties as mortgaged covered MOD executed on 22.04.2013, registered as Doc.No.6680/2013, MOD on 28.02.2006, registered as Doc.No.2278/2006 and supplemental MOD on 14.05.2013 registered as document No.6679/2013, SRO, Palladam so as to enable the petitioner bank or its successors to register the sale certificate/sale deed in favour of auction purchaser/third party(s).



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2. Today, when the matter was taken up for hearing, learned counsel for the petitioner submitted that the matter has become infructuous and nothing survives in this writ petition for further adjudication. He has also made an endorsement to that effect in the case bundle.

3. In view of the above submission coupled with an endorsement made by the learned counsel for the petitioner, this writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is also closed.

27.06.2024

vm

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

To:

1.The Regional Provident Fund Commissioner-II and
Recovery Officer,
Employee Provident Fund Organisation,
Regional Office, Dr.Balasundaram Road,
Coimbatore – 641 018,

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Tamil Nadu.

2. Sub Registrar,
Palladam,
Tirupur District, Tamil Nadu.

J.SATHYA NARAYANA PRASAD,J.

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