



W.P.(MD) No.1224 of 2010

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD) No.1224 of 2010

Madurai Ramnad District National Textile
Workers Union bearing Regn. No.589,
through its Vice President P.Varatharajan,
6/15, Ramanagar Padasalai 3rd Street,
Karimedu,
Madurai – 625 016.

... Petitioner

-VS-

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Assistant Commissioner of Labour Cum
the Controlling Authority Under the Payment of Gratuity Act,
Madurai – 20.
- 3.The Management,
M/s.Rukmani Mills,
Silaiman,
Madurai – 625 201.



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4.The Assistant General Manager Cum Authorised Officer,
State Bank of India,
157-A, Anna Salai,
Chennai – 600 002.

5.N.N.275 Rukmani Mills Employees
Cooperative Thrift and Credit Society,
West Street, Manalur,
Thiruppuvanam Taluk,
Sivagangai District.
Rep. by its President P.Irulandi.

... Respondents

(R5 impleaded vide order of this Court
dated 04.01.2024 made in W.M.P.(MD)
No.18278 of 2017 in W.P.(MD) No.1224
of 2010 by DKKJ and RVJ)

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the 4th respondent from proceeding against any of the immovable properties of the 3rd respondent pursuant to the Tender-cum-Public Auction sale to be conducted on 08.02.2010 based on the Paper Publication made in Daily Thanthi News Paper dated 06.01.2010, till Gratuity dues of the employees of the 3rd respondent's Spinning Mill to be recovered by invoking the provisions of the Revenue Recovery Act.

For Petitioner : Mr.J.Barathan

For Respondents : Mr.S.P.Maharajan,
Special Government Pleader for R1 and R2

No appearance for R3 and R4

Mr.G.Murugan for R5



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ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

The Writ Petition has been filed for issuance of a Writ of Mandamus, forbearing the 4th respondent from proceeding against any of the immovable properties of the 3rd respondent pursuant to the Tender-cum-Public Auction sale to be conducted on 08.02.2010 based on the Paper Publication made in Daily Thanthi News Paper dated 06.01.2010, till Gratuity dues of the employees of the 3rd respondent's Spinning Mill to be recovered by invoking the provisions of the Revenue Recovery Act.

2. It is admitted fact that the aforesaid property was brought for auction pursuant to the aforesaid sale notice. Therefore, nothing survives for adjudication in the present Writ Petition. Accepting the said statement made on behalf of both sides, the Writ Petition is dismissed as infructuous. No costs.

[D.K.K., J.] [R.V., J.]
04.01.2024

Index : Yes / No
Internet : Yes / No
SJ



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D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

SJ

To

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