



WEB COPY



W.P.No.2757 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.2757 of 2025

and

WMP.Nos.3091 & 3093 of 2025

Vaniyambadi Cooperative Marketing Society Ltd
Represented by its General Manager
Thiru.R.Rajkumar
Thirualluvar Nagar, Bypass Road
Vaniyambadi
Tirupathur District 635 752.

... Petitioner

Vs.

- 1.The Deputy Director
Employees State Insurance Corporation
No.143, Sterling Road
Chennai 34.
- 2.The Recovery Officer
Employees State Insurance Corporation
No.143, Sterling Road
Chennai 34.
- 3.The Branch Manager
State Bank of India 371, CL Rd, Khaderpet
Vaniyambadi
Tirupathur District 635 751.

...Respondents



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Prayer : Writ 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 second respondent in TN/RECY/45G/51000236070001002/CCR-25960-78495 dated 03.09.2024 and quash the same.

For Petitioner : Mr.S.Sairaman

For Respondents : Ms.Shubharanjani Ananth
for R1 & R2

ORDER

Mr.Shubharajani Ananth, learned counsel takes notice for the respondents 1 & 2.

2. This Writ Petition is filed aggrieved by the order dated 03.09.2024 which are in the nature of recovery proceedings taken by the respondents. It is seen that as against the original order already the petitioner Management has filed an appeal and when the appeal was dismissed, the management has preferred WP.No.979 of 2022 which is said to be pending.



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Pending the Writ Petition, it is for the management to seek such interim relief.

If there is no interim order, naturally the respondents will proceed further.

3. Even at that time of moving the Writ Petition if there was not any imminent necessity and now the recovery proceedings are issued it would be very much open to the petitioner management to file such an interim application in the pending Writ Petition and this second Writ Petition is uncalled for and amount to multiplicity of proceedings.

4. In view thereof, giving liberty to the petitioner management to move such interim relief in the said pending Writ Petition and this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

29.01.2025

Neutral Citation : No
dna



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