



CNR: KAHC010448562022

NC: 2026:KHC:50004
WP No. 19559 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 19559 OF 2022 (GM-DRT)

BETWEEN:

1. KML CHEMICALS PVT LTD
INCORPORATED UNDER THE COMPANIES ACT, 1956
REPRESENTED BY ITS
MANAGING DIRECTOR SRI S KANNAN
S/O LATE SINNU
130, 3RD FLOOR, MARIYAMMA TEMPLE ROAD
VODDARAPALYA, HARAGADDE POST
JIGANI, ANEKAL TALUK, BANGALORE-562106.
2. SRI S KANNAN
S/O LATE S SINNU
AGED ABOUT 51 YEARS
MANAGING DIRECTOR OF
M/S KML CHEMICALS PVT LTD
NO.100, MARIYAMMA TEMPLE ROAD
VODDARAPALYA, HARGADDE POST
JIGANI, ANEKAL TALUK, BENGALURU-562106.

...PETITIONERS

(BY SRI. SARAVANAN .G, ADVOCATE)

AND:

1. AUTHORIZED OFFICER
CANARA BANK (ARM BRANCH)
II FLOOR, CIRCLE OFFICE
SPENCER TOWERS, NO.86, M G ROAD
BENGALURU-560001.

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2. THE KARNATAKA INDUSTRIAL
AREA DEVELOPMENT AUTHORITY
REPRESENTED BY ITS
DEVELOPMENT OFFICER
HAVING ITS ZONAL OFFICE AT
MARUTHI GROUPS BUILDING 2ND FLOOR
SIT COLLEGE MAIN GATE
B H ROAD, TUMKUR-572103.

...RESPONDENTS

(BY SMT. PREETHU .R, ADVOCATE FOR
SRI. VIGNESH SHETTY, ADVOCATE FOR R1)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE IMPUGNED SALE AUCTION NOTICES DATED 09.09.2022 ISSUED BY THE R1 BANK VIDE ANNEXURE-B AND C IN RESPECT OF THE SCHEDULE A, B, C AND D IMMOVABLE PROPERTIES UNDER THE PROVISIONS OF THE SECURITIZATION AND RECONSTRUCTION OF FINANCIAL ASSETS AND ENFORCEMENT OF SECURITY INTEREST ACT, 2002 (ACT 54/2002) FOR ENFORCEMENT OF INTEREST IS EXCESSIVE, ILLEGAL AND UNSUSTAINABLE AND QUASH BY ISSUING THE WRIT IN THE NATURE OF CERTIORARI.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The captioned writ petition is filed assailing the sale auction notice dated 09.09.2022 issued by respondent No.1 - Bank under the provisions of the Securitization and

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Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'SARFAESI ACT, 2002').

2. This Court, despite authoritative judgments rendered by the Hon'ble Apex Court not to grant any indulgence in the actions contemplated by the secured creditors, was pleased to grant some indulgence vide order dated 28.09.2022 subject to the petitioner depositing the amount as indicated in the said interim order.

3. Learned counsel appearing for the respondent - Bank, on instructions, submits that pursuant to interim order granted by this Court, not a single rupee was deposited by the petitioner. It is further submitted that the Bank has proceeded to auction the property and the auction process is accomplished.

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4. There is no representation on behalf of petitioner.

5. The conduct of the petitioner clearly indicates that he has misused the writ jurisdiction of this Court and has obtained an interim order on the false pretext that he is willing to repay the outstanding dues. Though this petition is liable to be dismissed by imposing exemplary costs, this Court, having regard to the circumstances of the case, refrains from imposing the costs.

With these above observations, the writ petition is

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SACHIN SHANKAR MAGADUM
Verified

(SACHIN SHANKAR MAGADUM)
JUDGE

NBM
List No.: 1 SI No.: 6