

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.17092 of 2015

& MP. Nos.1 to 3 of 2015

K.Ramachandra Moorthy

.. Petitioner

Vs.

The Branch Manager/Senior Manager,
Canara Bank,
Arachalur Branch,
Kodumudi Road,
Arachalur,
Erode District.

... Respondent

Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondent herein from disposing the seized vehicles bearing registration Nos.KA 51 MF 2677 & KA 51 B 7755.

For Petitioner : Mr.S.Lakshmanasamy

For Respondent : Mr.T.S.Gopalan

ORDER

Admittedly, the petitioner is a borrower. The record would show that he is a defaulter. Now, the petitioner has come forward to file this writ petition praying for forbearing the respondent herein from disposing the seized vehicles bearing Registration Nos. KA 51 MF 2677 & KA 51 B 7755.

2. The learned counsel for the petitioner has submitted that there is a discrepancy in the quantum of the amount.

3. The learned counsel for the respondent has submitted that the proposed auction has been cancelled.

4. This Court is afraid that the prayer sought for before this Court is not maintainable. Hence, the respondent can proceed, of course, in accordance with law. If the auction is not in accordance with law, the petitioner can very well challenge the same in the manner known to law.

5. Accordingly, the present writ petition stands disposed of, by directing the respondent to proceed the same in accordance with law and liberty is given to the petitioner to challenge the same if so aggrieved against the proposed auction. It is open to the petitioner to approach the respondent to resolve the issue. No costs. Consequently, connected miscellaneous petitions are closed.
ogy/dn

sd/-

Assistant registrar (Judicial)

/True Copy/

Sub-Assistant Registrar

To

The Branch Manager/Senior Manager,
Canara Bank,
Arachalur Branch,
Kodumudi Road,
Arachalur,
Erode District.

+1CC to M/S.V.S.Mahakrishnan, Advocate in SR.NO. 63157

+1CC to M/S.T.S.Gopalan & Co., Advocate in SR.NO. 63300

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PPA (CO)

sd 11/12/2015

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