

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K. SASIDHARAN

W.P. No.26704 of 2015 and M.P. Nos.1 & 2 of 2015

K.P.Mahendra Babu

Petitioner

vs.

1. The Authorised Officer,
Union Bank of India,
Regional Office,
649/650 Oppanakkara Street,
Coimbatore 641 001.
2. Mr. S. Natarajan,
Proprietor,
M/s. Gem Dye Works,
410 Thomas street, Coimbatore 641 001,
residing at No.24, Kalliamman Koil Street,
K.K. Pudur, Coimbatore 641 038.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorari calling for records on the file of the first respondent relating to Sale Notice dated 7.7.2015 and to quash the same.

For petitioner

Mr. R. Chandrasekaran

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

Assailing the sale notice dated 07.07.2015 issued by the first respondent bank under Rule 8(6) of the Security Interest (Enforcement) Rules, the petitioner has filed the instant writ petition.

2. Learned counsel appearing for the petitioner submits that the petitioner is a guarantor and the secured asset is an agricultural land. The petitioner seeks some more time to make good the deficiencies in making the payment.

3. On a perusal of the documents, we notice that the petitioner has made an application being I.A.No. 1337 of 2014 in S.A.No. 193 of 2014 against the first respondent bank on the file of the Debts Recovery Tribunal, Coimbatore for extension of time, which, according to him, is still pending consideration without any decision thereon.

4. In the given facts, we are not inclined to entertain the writ petition, at this stage. However, we direct the Debts Recovery Tribunal, Coimbatore, to take up the aforesaid interim application and pass appropriate orders on its own merits and in accordance with law, at the earliest, preferably within a period of one week from the date of receipt of a copy of this order.

5. This writ petition is disposed of with the above direction. Connected miscellaneous petitions are closed. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

ra

To
The Authorised Officer,
Union Bank of India,
Regional Office,
649/650, Oppanakkara Street,
Coimbatore - 641001.

+1 cc to Mr.R.Chandrasekaran, Advocate, sr.45850

pvr(co)
kra4/9

W.P. No.26704 of 2015

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