

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2015

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Dr. JUSTICE P.DEVADASS

W.P.No.29619 of 2015
and
M.P.Nos.1 and 2 of 2015

P.Murugesan .. Petitioner

Vs.

Authorized Officer,
IDBI Bank Ltd.,
No.115, Anna Salai,
P.B.No.805, Saidapet,
Chennai - 15. .. Respondent

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorari to call for the records of the respondent pertaining to the impugned notice on extension of date of sale dated 02.09.2015 published in the Indian Express Newspaper on 03.09.2015 and to quash the same as illegal and without jurisdiction.

For Petitioner .. Mr.S.T.Raja
for M/s.Om Sai Ram Associates

For Respondents .. Mr.S.Sathianarayanan

ORDER

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

Impugning the notice dated 02 September 2015, whereunder the revised schedule for submission of bid and opening of bid in respect of the property in question was notified, the petitioner has filed the present writ petition.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

3. According to the learned counsel appearing for the petitioner, the mandatory time of 30 days before fixing the date of auction was not given to the petitioner so as to enable him to make the deposit of the default amount.

4. The respondent Bank has filed counter affidavit dated 07 October, 2015, wherein it was stated that there were no bidders on the extended date of auction. Hence a fresh auction is to be conducted.

5. If the respondent Bank decides to conduct fresh auction, the petitioner/borrower shall be given 30 days notice.

6. With the above observation, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

mmi

To

The Authorized Officer,
IDBI Bank Ltd.,
No.115, Anna Salai,
P.B.No.805, Saidapet,
Chennai - 15.

+1 cc to Mr.S.T.Raja, Advocate, sr.66047
+1 cc to Mr.S.Sathyanarayanan, Advocate, sr.65697

W.P.No.29619 of 2015

vsn co
kra 22.12.2015

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