

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 15.09.2016

CORAM:

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P (MD) No.17602 of 2016
and
W.M.P (MD) No.12715 of 2016

G.Deivendran

... Petitioner

Vs.

The Branch Manager,
State Bank of India,
Sivagangai Branch,
Sivagangai.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records relating to the impugned notice dated 02.05.2016 and subsequent tender cum auction sale notice dated 03.08.2016 and quash the same and consequently, direct the respondent to grant one month time to pay the arrears of loan amount from March 2016 to August 2016.

For Petitioner : Mr.B.Vinoth Kumar
For Respondent : Mr.S.Sethuraman

ORDER

(Order of the Court was made by M.SATHYANARAYANAN, J.)

The petitioner challenges the legality of the tender cum auction sale notice, in and by which, the property in question is brought for auction sale today, by contending that when the statutory appeal period of 45 days is prescribed, no action should be taken.

2. However, Mr.S.Sethuraman, learned Standing Counsel accepts notice on behalf of the respondent bank and submits that there are no bidders to the impugned tender cum auction notice and therefore, they have to go for a sale afresh.

3. In the light of the said development, nothing survives for adjudication in the writ petition. Therefore, this writ petition



is closed. No costs. Consequently, the connected writ miscellaneous petition is also closed.

Sd/-
Assistant Registrar (W)

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/True Copy/

Sub Assistant Registrar

rsb

To

The Branch Manager, State Bank of India,
Sivagangai Branch,
Sivagangai.

+1CC to Mr.B.Vinoth Kumar, Advocate Sr.No.53027

+1CC to Mr.S.Sethuraman, Advocate Sr.No.52666

GJM/PV/23.9.16-2p-4c

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