

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 2/1/2017

C O R A M

The Honourable Mr.Justice S.Manikumar
and
The Honourable Mr.Justice M.Govindaraj

Writ Petition No.17889 of 2016

M.A.Dhanasekaran ... Petitioner

Vs

1. The Regional Manager
Reserve Bank of India
Rajaji Salai
Chennai 1.
2. The Authorised Officer
Sundaram BNP Paribas Home Finance Ltd
Sundaram Towers
No.46 Whites Road
Royapettah
Chennai 14.
3. The Revenue Divisional Officer
Cheyyar
Thiruvannamalai District. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorari to call for the entire records relating to the impugned auction notice dated 14/4/2016 issued by the second respondent and quash the same.

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For petitioner ... Mr.C.Prakasam

For respondents ... Mr.K.J.Parthasarathy
for R.2.

O R D E R

(Order of the Court was made by S.Manikumar,J)

Auction sale notice dated 14/4/2016 is challenged by the guarantor. This Court, while ordering notice, returnable by 5/7/2016, has granted interim stay of the proceedings of the impugned auction notice dated 14/4/2016.

2. On this day, Mr.K.J.Parthasarathy, learned counsel for Sundaram BNP Paribas Home Finance Ltd.,/second respondent submitted that they have received a letter, dated 25/5/2016, from Mr.C.Prakasam, learned counsel for the petitioner that notice was ordered in the writ petition. He further submitted that there was no sale on the date scheduled and that therefore, instant writ petition has become infructuous.

3. Though Mr.C.Prakasam, learned counsel for the writ petitioner made an attempt to assail the correctness of the auction notice, dated 14/4/2016, we are not inclined to advert to the same. That apart, auction notice issued can always be challenged before the alternative and efficacious forum.

4. Recording the submission of the learned counsel appearing for the second respondent Bank, this writ petition is dismissed as infructuous. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

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To

1. The Regional Manager
Reserve Bank of India
Rajaji Salai
Chennai 1.

2. The Authorised Officer
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Chennai 14.

3. The Revenue Divisional Officer
Cheyyar
Thiruvannamalai District.

+1cc to Mr.K.J.Parthasarathy, Advocate Sr.45

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ev[co]
srg 20/01/2017



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