

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15/2/2017

C O R A M

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

Writ Petition No.26853 of 2014

N. Ashok

...Petitioner

Vs

The Assistant General Manager
State Bank of India
Stressed Asset Recovery Branch
Avinasi Road
Coimbatore.

....Respondent

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorari to call for the records with respect of the auction proceedings dated 9/9/2014, issued by the respondent and the same was published in Dina Thanthi daily newspaper, dated 9/9/2014.

For petitioner ... Mr.B.Gopalakrishnan
for R.Nalliyappan

For respondent ... Mr.Suresh

O R D E R

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

The petitioner has sought for a prayer to call for the records of the auction proceedings, dated 9/9/2014, issued by the respondent.

2. Borrower has challenged the auction notice, dated 9/9/2014, on various grounds.

3. Record of proceeding shows that on 10/10/2014, while ordering notice of motion returnable in two weeks through Court and privately, a Hon'ble Division Bench of this Court, has directed that auction be held on 13/10/2014 to 16/10/2014, but confirmation of auction alone was stayed.

4. On this day, when the writ petition is posted for further hearing, Mr.Suresh, learned counsel for the respondent Bank, submitted that though auction was conducted, there were no bidders. Subsequently, auction was conducted and some other mortgaged properties were sold.

5. Heard the learned counsel for the parties and perused the materials available on record.

6. Challenge in the writ petition is to the auction notice, dated 9/9/2014. As there were no bidders and auction notice, dated 9/9/2014, was not effected, there is no need to adjudicate the matter further.

7. Accordingly, this writ petition is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mvs.

To

The Assistant General Manager
State Bank of India
Stressed Asset Recovery Branch
Avinasi Road
Coimbatore.

+1cc to Mr.Shivakumar, Advocate, S.R.No.9837
+1cc to Mr.Nalliyappan, Advocate, S.R.No.9792

RSY(CO)
RS(02/03/2017)

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