



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.VENUGOPAL
AND
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P.(MD)No.22579 of 2017andW.M.P(MD)No.18878 of 2017

M/s.Maruthi Agency,
represented by its Partner,
R.Maheswari,
61/12,Nadesan Colony,
Salem - 636 007.

: Petitioner

.vs.

1.The Authorized Officer,
Lakshmi Vilas Bank,
Regional Office,
No.9/4, Advaita Ashram Road,
Salem 636 004.

2.The Branch Manager,
Lakshmi Vilas Bank,
Ayothipattinam Branch,
Salem District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying this Court for issuance of a Writ of Certiorari calling for the records pertaining to the impugned sale notice Nil proceedings, dated 7.11.2017 issued by the first respondent proceedings and to quash the same as illegal and without jurisdiction.

For Petitioner

: M/s.R.Pon Karthikeyan

For Respondents

: Mr.Pala Ramasamy

O R D E R

[Order of the Court was made by M.VENUGOPAL, J.]

This Writ Petition has been filed seeking issuance of a Writ of Certiorari calling for the records pertaining to the impugned sale notice Nil proceedings, dated 7.11.2017 issued by the first respondent proceedings and to quash the same as illegal and without jurisdiction.



2. Heard both sides.

3. It is represented on behalf of the First Respondent/Bank that today the auction was conducted and there was no bidders. Even otherwise, the Writ Petitioner is not entitled to file the present Writ Petition before this Court, inasmuch as it has a viable, effective, efficacious and alternative remedy before the Debt Recovery Tribunal, Madurai and as such, the Writ Petition is not maintainable.

4. Viewed in that perspective, the Writ Petition is dismissed as not maintainable. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To

1. The Authorized Officer,
Lakshmi Vilas Bank,
Regional Office,
No.9/4, Advaita Ashram Road,
Salem 636 004.

2. The Branch Manager,
Lakshmi Vilas Bank,
Ayothipattinam Branch,
Salem District.

+One cc to Mr.Pala Ramasamy, Advocate, SR.No.92058

vsn

RL/4C/2P/JC/SAR1/22/12/2017

ORDER MADE IN
W.P. (MD) No.22579 of 2017
and
W.M.P (MD) No.18878 of 2017