



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.(MD) No.488 of 2016
and
W.M.P.(MD) Nos.405, 406 & 15079 of 2016

P.Mani

... Petitioner

-vs-

1. The Union of India
Rep.by its Secretary to Government
Ministry of Finance, New Delhi
2. The Authorized Officer/Chief Manager
Indian Bank
Bodinayakanur, Theni District

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records on the file of the second respondent relating to the sale notice, dated 21.12.2015, in respect of the petitioner's immovable agricultural properties of an extent of 5.22 acres comprised in T.S.No.72/2, 125/2A, 228/1C, 248/2, Bodinayakanur Village, Bodinayakanur Taluk, Theni District and consequently forbear the respondents from in any manner proceeding against the said immovable agricultural properties of the petitioner by way of proceedings under the SARFAESI Act, 2002.

For Petitioner : Mr.H.Velavadhas
For Respondents : Mr.Pillai Manikandan for R1
Mr.M.Senthil Kumar for R2

O R D E R

(Order of the Court by T.S.SIVAGNANAM, J.,)

Heard Mr.H.Velavadhas, learned counsel appearing for the petitioner, Mr.Pillai Manikandan, learned counsel appearing for the first respondent and Mr.M.Senthil Kumar, learned counsel appearing for the second respondent and carefully perused the materials placed on record.



2. The petitioner has challenged the sale notice issued by the respondent Bank.

3. The learned counsel appearing for the respondent Bank states that the sale notice did not fructify and no sale was effected.

4. In view of the submissions made by the learned counsel appearing for the respondent Bank, the writ petition stands closed leaving it open to the petitioner to raise all contentions before the appropriate Forum as and when further action is initiated. The order of interim stay already granted is hereby vacated. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

1. The Union of India,
Rep. by its Secretary to Government,
Ministrt of Finance, New Delhi.

+1cc to Mr. M. SENTHILKUMAR, Advocate, SR.No.51663

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SDS/RSK/10.05.2017/2P/3C