

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.MANIKUMAR

and

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.31761 of 2013

and

M.P.No.1 of 2013

M/s.Current Trends
No.28/15, M.K. Building
Indira Nagar, 1st Street
Behind CSI Church
Avinashi Road
Gandhi Nagar Post
Tiruppur - 641 603
Rep. by its Managing Partner
S.Krishnakumar

... Petitioner

versus

1.The Authorised Officer and Assistant
General Manager
State Bank of India
Stressed Assets Management Branch
"Red Cross Building"
32, Montieth Road
Egmore, Chennai - 600 008

2.The Authorised Officer and Assistant General
Manager, State Bank of India,
Stressed Assets Management Branch
1112, Raja Plaza
Avinashi Road
Coimbatore - 641 037

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the e-auction sale notice vide SAMB/CBE/CLO II/385 dated 01.10.2013 issued by the 2nd respondent, quash the same and consequently forbear the respondents or their men or agents or representatives or assigns or any one claiming under them from in any manner proceeding in pursuance of the Possession Notice dated 04.10.2011 issued by the 1st respondent.

For Petitioner : Mr.R.Nagasundaram
For Respondents: Mr.Senthilkumar
for Mr.S.Sethuraman

ORDER
(Made by S.MANIKUMAR, J.)

Borrower has challenged e-auction sale notice dated 01.10.2013. There is no stay. Machinery under e-auction sale notice, dated 01.10.2013, have been sold. Representation has been made by the learned counsel appearing for the petitioner and the bank that, subsequently, immovable properties have been sold and that the sale is under challenge before the Debts Recovery Tribunal, Coimbatore. Added further, Mr.Senthilkumar, learned counsel for the bank submitted that, as on December 2017, a sum of Rs.12.00 Crores towards principal, is due.

2. In the light of the above submission, nothing survives in the instant writ petition for adjudication. Accordingly, the writ petition is dismissed. However, there shall be no order as to cost. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

asr

Sub Assistant Registrar

+1cc to Mr.S.SETHURAMAN, Advocate, S.R.No. 24569

W.P.No.31761 of 2013
and
M.P. No.1 of 2013

SSD(CO)
TR(24/04/2018)