

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2019

CORAM

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.29467 of 2008

V.R.S.Rajan

.. Petitioner

Vs.

1. State Bank of India
SSI Branch
Bhavani - 638301
rep. by its Authorized Officer.

2. M.Anbarasu

3. S.K.Arumuganya

4. R.Gunasekaran

.. Respondents

(R4 impleaded as per Court order
dated 28.7.2009 in M.P.No.1/2009)

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Certiorari to call for the records with respect to auction notice dated 20.8.2008 issued by the first respondent and subsequent sale dated 17.10.2008 and 15.10.2008 of Item No.1 and 2 properties in favour of 2nd and 3rd respondent respectively and to quash the auction sale of said Item No.1 property namely house ground, premises at Door No.12 I/31, Apex Colony, Kumarapalayam in the land of an extent of 3840 Sq. Ft. comprised in Survey No.44/1 of Kumarapalayam Village, Thiruchengode Taluk, Namakkal District which is purchased by the 2nd respondent from the 1st respondent bank bearing Document No.4998 of 2008 by a registered sale certificate dated 17.10.2008 and the auction sale of said Item No.2 property, namely house, ground, premises at Door No.12L2, 12L3, 12L4, 12L5, 12L6K and 12L8, Apex Colony, Kumarapalayam in the land of an extent of 2400 Sq.Ft. comprised in Survey No.44/1, Kumarapalayam Village, Thiruchengode Taluk, Namakkal District which is purchased by the 3rd respondent from the 1st respondent bank bearing Document No.4937 of 2008 by a registered sale certificate dated 15.10.2008, since the above said Item No.1 and 2 are residential properties.

For Petitioner : No appearance

For Respondents : Mr.R.Vigneshwaran
for 1st respondent

Mr.Malathi Kumar
for respondents 2 and 3

Not ready in notice
for 4th respondent

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

There is no representation for the petitioner. Even on the last date, i.e., on 8.1.2019, there was no representation for the petitioner. In the order dated 8.1.2019, it is reflected that in spite of the fact that the name of the petitioner is printed in the cause list, there is no representation for the petitioner, hence the matter be posted for dismissal on 9.1.2019, i.e., today.

As stated earlier, even today there is no representation for the petitioner. Hence, the writ petition is dismissed for non prosecution. No costs. Consequently, W.M.P.No.37783 of 2018 is closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

sasi

To
The Authorised Officer,
State Bank of India,
SSI-Branch, Bhavani 638301.

+1cc to Mr.C.Prakasam, Advocate SR.No.2644

+1cc to Mr.R.Vigneshwaran, Advocate SR.No.2446

W.P.No.29467 of 2008

GMV (23/01/2019)