

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2019

CORAM :

The Hon'ble Dr.VINEET KOTHARI, ACTING CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE C.SARAVANAN

W.P. No.15083 of 2019
and W.M.P.No.15064 of 2019

S.Yousouf Sidique

.. Petitioner

-vs-

1. The Chief Manager,
Canara Bank, Trichy Road,
Coimbatore, Coimbatore District.

2. The Authorised Officer,
Canara Bank, Trichy Road,
Coimbatore, Coimbatore District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to forbear the respondents bank from insisting the petitioner to deposit the balance amount of Rs.3,31,22,500/- till the deposit of SA.No.244 of 2019 on the file of the Debts Recovery Tribunal, Coimbatore, filed by the borrower.

For Petitioner : Mr.Om Prakash, Sr. Counsel
for Mr.N.Arul Kumar

For Respondents : Mr.P.Raghunathan
for M/s.T.S.Gopalan & Co.

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O R D E R

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

This petition was filed by the Auction Purchaser in this Court on 25th May, 2019 with the following prayer :-

"Writ of Mandamus forbearing the respondents bank from insisting the petitioner to deposit the balance amount of Rs.3,31,22,500/- till the

deposit of SA.No.244 of 2019 on the file of the Debts Recovery Tribunal, Coimbatore, filed by the borrower.

2.The learned Senior Counsel appearing for the petitioner, Mr.M.Om Prakash, submitted that since the amount in question has been deposited by the petitioner and the petitioner is in negotiations with the respondents - bank on the issue of further payment of interest, he may be given liberty to hold such negotiation talks with the respondent - bank.

3.The learned counsel for the respondents - bank, Mr.P.Raghunathan, does not have any objection to the aforesaid submission of the learned counsel for the petitioner.

In view of the above submissions, the writ petition is disposed of as having become infructuous, however, with liberty as prayed for by the learned counsel for the petitioner. No costs.

Sd/-
Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

sra

To

The Registrar,
The Debts Recovery Tribunal,
Coimbatore.

+1 cc to M/s.Gopalan & Co, Advocate, S.R.No.82967

+2 ccs to Mr.Arul Kumar, Advocate, S.R.No.82899

W.P.No.15083 of 2019

MG(CO)
SSM(22/10/2019)