

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2019

CORAM :

THE HON'BLE DR.VINEET KOTHARI, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.28598 of 2019

1.M/s.Kesava Agencies,
New No.45, Old No.11/1, Konnur High Road,
Ayanavaram,
Chennai-600 023.

2.S.R.Ganesan

3.S.R.Venkatesh

.. Petitioners

-Vs-

1.The Authorised Officer,
Indian Overseas Bank,
Regional Office,
Chennai-11, Annexe Building,
3rd Floor, 763, Anna Salai,
Chennai - 600 002.

2.The Branch Manager,
Indian Overseas Bank,
Villivakkam Branch,
18, Perumal Koil North Mada Street,
Villivakkam,
Chennai-600 049.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari calling for the records relating to sale notice issued under Rule 8(6) and 9(1) of the Security Interest (Enforcement) Rules 2002 dated 20.09.2019 fixing auction sale of item No.1 describing schedule 1 and 2 thereon on 30.09.2019 the property mortgaged by these petitioners and quash the same.

For Petitioners

: Mr.P.V.Elango

For Respondents

: Mr.F.B.Benjamin George

ORDER

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

The learned counsel for the respondent Bank, Mr.F.B.Benjamin George, submits that the writ petition has become infructuous because in pursuance of the impugned sale notice dated 20.09.2019, no sale of the schedule property has taken place on 30.09.2019 as notified. He prays for liberty to proceed further in accordance with law on behalf of the respondent Bank.

2. In view of the above, the writ petition has become infructuous and the same is dismissed as such. No costs. Consequently, W.M.P.Nos.28344 and 28346 of 2019 are closed.

bbr

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

- 1.The Authorised Officer,
Indian Overseas Bank,
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Chennai-11, Annexe Building,
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W.P.No.28598 of 2019

Kak(24/10/2019)

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