



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

AND

THE HONOURABLE MRS. JUSTICE R.THARANI

Writ Petition (MD) No.7300 of 2019

Mr.G.Vijayakumar

... Petitioner

Vs.

The Authorised Officer/Chief Manager,
Indian Bank,
Bodinayakanur,
Theni District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified mandamus calling for the records on the file of the respondent relating to the sale notice dated 15.03.2019 auction sale on 30.03.2019, quash the same in respect of the petitioner's immovable agricultural property of an extent of 7.33 acres comprised in S.Nos.5/1, Plantaton Lands (coconut) at 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.Pala Ramasamy

ORDER

[Order of the Court was made by **K.KALYANASUNDARAM, J**]

Heard, Mr.H.Velavadhas, learned counsel for the petitioner and Mr.Pala.Ramasamy, learned Standing Counsel for the respondent.

2.This writ petition has been filed challenging the auction notice issued by the respondent fixing the date on 30.03.2019. It is submitted by the learned Standing Counsel for the respondent that since there was no bidders on the auction date, sale could not be conducted.

3.In the light of the above submission, we are of the considered opinion that the prayer sought for in the writ petition has become infructuous.



4. Accordingly, this writ petition is dismissed as infructuous.
No costs.

sd/
Assistant Registrar (AS)

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Sub Assistant Registrar

+1 CC to Mr. PALA. RAMASAMY, Advocate (SR-61355[F] dated 16/04/2019)

W.P. (MD) .No. 7300 of 2019

15.04.2019

vs
MK (03.05.2019) 2P 2C