



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2019

CORAM:

WEB COPY

**THE HON'BLE Mr. JUSTICE K.KALYANASUNDARAM  
AND  
THE HON'BLE Mrs. JUSTICE R.THARANI**

W.P. (MD) No.14301 of 2017  
and  
W.M.P. (MD) No.11199 of 2017

K.A.Sivakumar ... Petitioner

Vs.

1.The Chief Manager / Authorized Officer,  
Indian Bank,  
Sivakasi Branch,  
Sivakasi.

2.The Branch Manager,  
Indian Bank,  
Sivakasi Branch,  
Sivakasi.

... Respondents

**PRAYER:** The petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned notice of sale under private treaty issued by the first respondent dated 17.07.2017 and quash the same.

For Petitioner : Mr.Isaac Mohanlal, S.C. for  
Mr.D.Sadiq Raja

For Respondents : Mr.C.Jawhar Raivindran

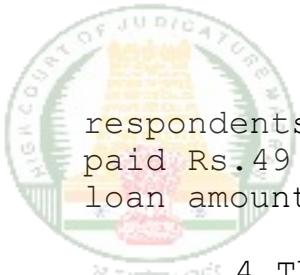
**ORDER**

**(Order of the Court was made by K.KALYANASUNDARAM,J.)**

Heard Mr.Isaac Mohanlal, learned Senior Counsel appearing for the petitioner and Mr.C.Jawhar Ravindran, learned standing counsel appearing for the respondents / Bank.

2.This Writ petition has been filed challenging the impugned notice dated 17.07.2017 issued on the private treaty by the first respondent.

3.It is submitted by the learned Senior Counsel appearing for the petitioner and the learned standing counsel appearing for the



respondents / Bank that pending Writ petition, the petitioner had paid Rs.49 lakhs towards one time settlement (OTS) in respect of the loan amount of the petitioner and the loan account is closed.

4.The learned Senior Counsel appearing for the petitioner would state that despite closure of the entire loan account, the original documents, in respect of the property at Sivakasi, have not been released by the respondents / Bank.

5.The learned standing counsel appearing for the respondents / Bank on instructions would state that the respondents / Bank is ready to release the original documents in respect the property at Sivakasi forthwith.

6.Recording the submission made by the learned standing counsel appearing for the respondents / Bank, this Writ petition is closed as no further adjudication is required in this case. No costs. Consequently, connected W.M.P.is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar

To

+2 CC to M/s.D.SADIQ RAJA, Advocate ( SR-54782[F] dated 18/03/2019 )

+1 CC to M/s.C.JAWAHAR RAVINDRAN, Advocate ( SR-54843[F] dated 19/03/2019 )

**W.P. (MD) No.14301 of 2017**

**18.03.2019**

SP-05.04.2019/2P-4C