

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No. 9456 of 2020
& W.M.P.No.11553 of 2020

1. M/s.Chendoor Apparels rep. by
its Proprietor D.Suresh Kumar,
66A, K.G. Layout Street No.2,
K.K.Pudur, Sangapur Village,
Coimbatore - 641 038.
- 2.D.Sureshkumar
- 3.S.Rajarajeswari
- 4.Radha N. ... Petitioners

vs

Union Bank of India
(formerly Corporation Bank)
rep. by its Authorised Officer,
No.594/3, Obli Towers, D.B.Road,
R.S.Puram, Coimbatore - 641 002. ... Respondent

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus forbearing the respondent from proceeding with the e-auction sale to be held on 17.07.2020 or on any other subsequent date proposing to sell the property bearing Site Nos.2 and 3 each of an extent of 2171 sq.ft. and the building thereon in S.F.No.320, Sanganoor Village, Coimbatore Taluk lying within Gandhi Puram Sub Registration District and Coimbatore Registration District on 17.07.2020 by e-auction till the disposal of S.A.231 of 2020 pending on the file of DRT, Coimbatore.

For Petitioners .. Mr.S.Balaji
For Respondent .. Mr.S.Sethuraman

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

This writ petition has been filed to forbear the respondent from proceeding with the e-auction sale to be held on 17.07.2020 or on any other subsequent date proposing to sell the property bearing Site Nos.2 and 3 each of an extent of 2171 sq.ft. and the building thereon in S.F.No.320, Sanganoor Village, Coimbatore Taluk lying within Gandhi Puram Sub Registration District and Coimbatore Registration District on 17.07.2020 by e-auction till the disposal of S.A.No.231 of 2020 pending on the file of DRT, Coimbatore.

2.When the matter is taken up for hearing, Mr.S.Sethuraman, learned counsel appearing for the respondent Bank submitted that the sale has not taken place and therefore, nothing survives for consideration in this writ petition.

3.In view the submission made by the learned counsel for the respondent, this writ petition is closed, however, with liberty to the petitioner to negotiate with the respondent Bank. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

mmi/ssm

To

The Authorised Officer,
Union Bank of India
(formerly Corporation Bank),
No.594/3, Obli Towers, D.B.Road,
R.S.Puram, Coimbatore - 641 002.

Copy to

The Debts Recovery Tribunal
Coimbatore

W.P.No. 9456 of 2020

MG (CO)
SP(12/10/2020)