



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.17604 of 2020
and
W.M.P.(MD)No.14723 of 2020

Kavitha

... Petitioner

Vs.

The Authorized Officer,
REPCO Bank,
No.13, Krishnarayar Tank Road,
Madurai-625 001.

... Respondent

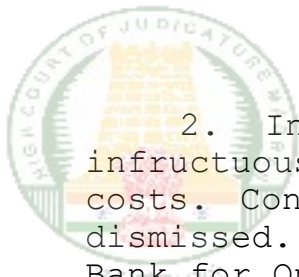
Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records in relating to tender/Public auction sale notice issued by the respondent Bank on 15.10.2020 and quash the all proceedings initiated under the provision of SARFAESI Act consequently directing the respondent to permit the petitioner to pay the over due amount in Secured Loan Benefit (SLB) A/c No.126/2017, allegedly in arrears by way of installments as stipulated by this Court and direct the respondent to regularize the loan account enabling the petitioner to pay the balance amount as per the original schedule.

For Petitioner : No Appearance
For Respondent : Mr.Pala.Ramasamy

ORDER

(Order of the Court was made by N.KIRUBAKARAN,J)

When the matter is called, there is no representation on behalf of the petitioner. However, Mr.Pala Ramasamy, learned Counsel appearing for the respondent Bank would submit that as per the impugned auction notice, dated 15.10.2020, the auction was held on 09.12.2020 and there is no bidder. Therefore, the Bank could not conclude the auction.



2. In view of the above, the Writ Petition has become infructuous. Accordingly, the same is dismissed as infructuous. No costs. Consequently, the connected Miscellaneous Petition is also dismissed. However, the petitioner is at liberty to approach the Bank for One Time Settlement if so advised.

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Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SSL

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

+1 CC to Mr.A.P.MUTHU PANDIAN, Advocate SR-25797.

W.P. (MD) No.17604 of 2020
14.12.2020

KVN(CO)
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