



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2020

CORAM:

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

W.P. (MD)No.19182 of 2020

and

W.M.P. (MD)No.16038 and 16039 of 2020

U.R.Dhavamani

... Petitioner

Vs.

1. The Authorized Officer,
Canara Bank,
Regional Office,
Thanjavur.

2. The Authorized Officer,
Syndicate Bank,
Pattukottai Branch,
Thanjavur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorari, to call for the records in pursuant to the impugned E-Sale notice issued by the 1st respondent dated 19.11.2020 insofar as serial No.1 of E-Sale notice, which relates to the petitioner's property and to quash the same.

For Petitioner : Mr.K.K.Senthilvelan
For Respondents : Mr.V.Sugumar

ORDER

[Order of the Court was made by **N. KIRUBAKARAN, J.**]

This writ petition has been filed, challenging the auction notice dated 19.11.2020, in and by which, the property of the petitioner is to be auctioned on 22.12.2020 for non-payment of Rs.5,25,304.56p (Rupees Five Lakhs Twenty Five Thousand Three Hundred and Four and Paise Fifty Six only)

2. Heard Mr.K.K.Senthilvelan, learned counsel for the petitioner, Mr.V.Sugumar, learned counsel, who takes notice on behalf of the respondents 1 and 2.



3. Since the petitioner's account has become Non-Performing Asset, the property of the petitioner is sought to be auctioned on 22.12.2020 and therefore, the auction notice is under challenge.

4. Mr.K.K.Senthilvelan, learned counsel for the petitioner, would submit that the petitioner is ready to pay a sum of Rs.2,00,000/- (Rupees Two Lakhs only) on or before **04.01.2021**, another sum of Rs.2,00,000/- (Rupees Two Lakhs only), on or before **01.02.2021** and for the balance amount, the petitioner may be given liberty to negotiate with the respondent Bank and settle the amount.

5. The learned counsel for the respondent Bank is also agreeable for the same.

6. In view of the above, the auction notice is quashed and the petitioner is directed to pay a sum of Rs.2,00,000/- (Rupees Two Lakhs only) on or before **04.01.2021**, another sum of Rs.2,00,000/- (Rupees Two Lakhs only) on or before **01.02.2021** and for the balance amount, the petitioner is at liberty to negotiate with the respondent Bank and settle the amount. In case, if any of the conditions is not complied with by the petitioner, the auction notice will be revived and the respondent Bank is at liberty to auction the property in question.

7. Accordingly, the writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (A.E)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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.

To

1. The Authorized Officer,
Canara Bank,
Regional Office,
Thanjavur.



2. The Authorized Officer,
Syndicate Bank,
Pattukottai Branch,
Thanjavur District.

WEB COPY

+1cc to Mr.K.K.Senthilvelan, Advocate, SR.No.26892.

W.P. (MD) No.19182 of 2020
21.12.2020

SGS (CO)
CS (06.01.2021) 3P 4C