



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2021

CORAM :

The Hon'ble Mr.JUSTICE T.S.SIVAGNANAM

AND

The Hon'ble Mrs.JUSTICE S.ANANTHI

W.P(MD).No. 7647 of 2021

Muthulakshmi

... Petitioner

Vs

1. REPCO Home Finance Limited,
Rep. By its the Branch Manager,

2. REPCO Home Finance Limited,
Rep. By its Managing Director.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to pass an order or a writ in the nature of Writ of Certiorari to call for the impugned sale notice dated 24.02.2021 in respect of the property bearing Plot No.6-A, Elumalaiyan Nagar (Way to Collectorate), Dindigul belonging to the petitioner as it suffers serious illegality and irregularity in auctioning the same by the respondents and subsequently quash the same forthwith.

For Petitioner : Mr.S. Palani Velayutham

For respondents : Mr.B. Rajesh Saravanan

ORDER

[Order of the Court was made by **T.S. SIVAGNANAM, J.**]

This writ petition had been filed by the borrower of loan from the respondent-bank and having committed default, seeks for quashing the sale proceedings.

2. When the writ petition came up for admission on 09.04.2021, we had made it clear that the writ petition is not maintainable. However, as requested by the learned counsel for the petitioner that time may be given to the petitioner to work out the settlement to the



respondent bank, the matter was adjourned.

3. Today, it was informed by Mr.B.Rajesh Saravanan, learned counsel appearing for the respondent Bank that the petitioner has given a cheque for a sum of Rs.3,00,000/- (Rupees Three Lakhs only) and the cheque was honoured and the respondent bank will be able to consider the offer and pass appropriate orders to work out One Time Settlement.

4. In the light of the above, the writ petition stands disposed of, giving liberty to the petitioner to settle the matter with the respondent bank or in the alternative take appropriate action against the steps taken by the bank by approaching the appropriate Forum and not before the High Court. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 M/s.B.RAJESH SARAVANAN, Advocate (SR-16624[F] dated 20/04/2021)

**Order made in
W.P(MD) .No. 7647 of 2021
17.04.2021**

RS (05.05.2021) 2P 2C