



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.04.2021**

CORAM

THE HON'BLE MR.JUSTICE T. S. SIVAGNANAM
and
THE HON'BLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.8876 of 2021
and W.M.P. (MD)No.6677 of 2021

G.Vijayakumar

... Petitioner

-Vs-

1.The Authorized Officer,
Indian Bank,
Bodinayakanur, Theni District.

2.The Manager,
Indian Bank,
Bodinayakanur,
Theni District.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of Certiorarified Mandamus, calling for the records to the impugned sale notice dated 09.04.2021 issued by the 1st respondent and quash the same and consequently consider the valuer report dated 05.04.2015 and the petitioner's representation dated 01.03.2021.

For Petitioner : Mr.P.Arun Jayatram

ORDER

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

The petitioner has filed this Writ Petition challenging a sale notice issued by the respondent bank on account of a default committed by the petitioner in not paying the loan.

2. The sale notice is challenged on the ground that the upset price has been fixed very low. Such a type of challenge cannot be entertained by this Court in a Writ Petition, as the remedy for the petitioner is elsewhere.

3. Therefore, this Writ Petition is dismissed as not maintainable. If the petitioner has an offer more than the upset



price, he can always approach the respondent bank and that can be no reason to stall the sale notice. No costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

Sd/-

Assistant Registrar (CSI)

// 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.

vsm

To

- 1.The Authorized Officer,
Indian Bank,
Bodinayakanur, Theni District.
- 2.The Manager,
Indian Bank,
Bodinayakanur,
Theni District.

Order made in

W.P. (MD)No.8876 of 2021
and W.M.P. (MD)No.6677 of 2021

30.04.2021

GS (11.06.2021) 2P 3C