



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAISWAMY

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P(MD)No.14033 of 2021

and

W.M.P. (MD)No.11024 of 2021

C.Rani

... Petitioner

Vs.

1.The Chief Financial Officer,
Reserve Bank of India,
Central Office Building,
17th Floor,
Sahit Bhagat Singh Road,
Mumbai-400001.

2.The Chief Administrative Officer,
Head Office,
Karur Vysya Bank,
D.No.20, Erode Road,
Vadivel Nagar L.N.S.,
Karur-639 002.

3.The Divisional Officer,
Divisional Office,
Karur Vysya Bank,
No.16, A.A.Road,
Gnanaolivupuram,
Madurai-625 016.

4.The Branch Manager,
Karur Vysya Bank,
Thiruppalai Branch,
Madurai-625 017.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned E-auction notice issued by the third respondent, dated 16.07.2021 and set aside the same as illegal and arbitrary and consequently directing the respondents to consider



the petitioner's representation, dated 16.07.2021 and 20.07.2021 for the peaceful and amicable settlement.

For Petitioner : Mr.R.Sevugaraja
For Respondents : Mr.Pala Ramasamy
Standing Counsel for R.3 and R.4

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ORDER

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

The petitioner has filed the above writ petition to issue a writ of Certiorarified Mandamus to call for the records relating to the impugned E-auction sale notice, dated 16.07.2021, issued by the third respondent and to quash the same and consequently directing the respondents to consider the petitioner's representations, dated 16.07.2021 and 20.07.2021 for the peaceful and amicable settlement.

2. The third respondent issued a sale notice dated 16.07.2021 for auctioning the mortgaged property, on 11.08.2021 between 11.00a.m., and 12.00 noon.

3. Mr.Pala Ramasamy, learned Standing Counsel for the respondents 3 and 4 submitted that though the auction was conducted today between 11.00a.m., and 12.00 noon, since there was no bidders, the auction had come to an end. Further the learned Counsel submitted that the third respondent would issue fresh notice for auctioning the secured asset.

4. The learned Counsel for the petitioner submitted that in view of the submission made by the learned Counsel for the respondents 3 and 4, the writ petition may be closed.

5. With regard to the submissions made by the learned Counsel on either side, since there was no bidder in the auction held today between 11.00a.m., and 12.00 noon, the Writ Petition stands dismissed. So far as the representations given by the petitioner is concerned, it is for the fourth respondent to decide the same in accordance with law. No costs. Consequently, the connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



Note :

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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.

**W.P (MD) No.14033 of 2021
and
W.M.P. (MD) No.11024 of 2021**

11.08.2021

GS (18.08.2021) 3P 1C