



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.18195 of 2020

and W.M.P. (MD) No.15175 of 2020

(Through Video Conferencing)

R.G.Timbers & Saw Mills
Registered Partnership Firm
registered with the Registrar of Firms
Tenkasi in its Regn. No.42/1999
rep. by its Partner K.Ramasamy : Petitioner

Vs.

1.The Authorized Officer,
The Lakshmi Vilas Bank ltd.
(now called as DBS Bank)
Tenkasi Branch
Tenkasi.

2.The Regional Manager,
The Lakshmi Vilas Bank ltd.
(now called as DBS Bank)
Regional Office II Floor
Regd. Office Salem Road,
Kathaparai, Karur

3.The Branch Manager,
The Lakshmi Vilas Bank Ltd.,
(now called as DBS Bank)
Tenkasi Branch
Tenkasi.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorarified Mandamus to call for the records relating to the sale cum auction notice DT 09.11.2020 issued by the 1st respondent quash the same and consequently direct the respondents not to bring the properties mentioned in the sale notice dated 09.11.2020 for auction/sale till the proposal dated 23.11.2020 submitted by the petitioner for settlement of the dues is considered by the respondents.

For Petitioner : Mr.A.Sivaji

For Respondents : Mr.S.I.Muthaiah



ORDER

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

The petitioner has complied with the conditional order dated 15.12.2020.

2.The learned counsel for the respondent Bank submitted that sale has been deferred. Therefore, fresh auction notice will have to be issued.

3. In view of the same, nothing survives for consideration and insofar as the consequential prayer sought for by the petitioner is concerned, the request made having been rejected towards One Time Settlement, we are not inclined to pass any order. Even otherwise, law does not enable this Court to get into the said issue. However, liberty is given to the petitioner to approach the respondent Bank seeking One Time Settlement. Accordingly, the writ petition stands dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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.A.SIVAJI, Advocate (SR-1794[F] dated 22/01/2021)

W.P. (MD)No.18195 of 2020

Dated: 22.01.2021

MJ(CO)

KB(04.02.2021) 2P 2C