



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2021

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

W.P(MD)No.19910 of 2021

and

W.M.P(MD)Nos.16610 & 16611 of 2021

V.Yogalakshmi

...Petitioner

Vs.

The Authorized Officer,
State Bank of India,
Stressed Assets Recovery Branch,
No.8, Ambedkar Road,
Vinayaganagar Branch 1st Floor,
Madurai - 20.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned sale notice dated 04.10.2021 on the file of the respondent bank and quash the same as illegal and consequently, direct the respondent not to execute the sale deed in favour of any person.

For Petitioner : Mr.R.Venkatesan

For Respondent : Mr.N.Dilip Kumar

O R D E R

(Order of the Court was made by PUSHPA SATHYANARAYANA,J.)

Mr.N.Dilip Kumar, learned counsel accepts notice on behalf of the respondent-Bank.

2. By consent of parties, the main Writ Petition is taken up for final disposal.

3.This Writ Petition is filed challenging the impugned sale notice, dated 04.10.2021 which was issued by the respondent-Bank.

4.The only grievance of the petitioner is that the sale notice dated 04.10.2021 was not served on him. The sale date was fixed on 22.10.2021.



5.The learned counsel for the respondent would state that the sale through e-auction was fixed on 22.10.2021 and conclusion of the auction proceedings was intimated to the petitioner on 25.10.2021 and the sale deed was executed in favour of the auction purchaser and the same was registered on 01.11.2021 vide Document No.4289 of 2021 in the office of the Sub-Registrar, Thirupparankundram. The challenge is only to the sale notice and now the sale itself had happened.

6.In view of the above stated position, the Writ Petition is dismissed as infructuous. It is open to the petitioner to make appropriate steps to challenge the same before the Debts Recovery Tribunal. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-I)

// 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
The Authorized Officer,
State Bank of India,
Stressed Assets Recovery Branch,
No.8, Ambedkar Road,
Vinayaganagar Branch 1st Floor,
Madurai - 20.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-33705[F] dated 08/11/2021)

ORDER MADE IN
W.P (MD) No.19910 of 2021
08.11.2021

KS (CO)
TR/PM(18.11.2021) 2P 3C