



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2021

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

W.P (MD)No.20113 of 2021

and

W.M.P (MD)Nos.16817 & 16818 of 2021

S.P.Seenivasan

... Petitioner

Vs.

1.The Authorized Officer,
Union Bank of India,
Sivakasi 3 Branch,
No.12/C, Gandhi Road,
Behind Bus Stand,
Sivakasi - 626 123,
Virudhunagar District.

2.The Branch Manager,
Union Bank of India,
Sivakasi 3 Branch,
No.12/C, Gandhi Road,
Behind Bus Stand,
Sivakasi - 626 123,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records of the impugned auction sale notice dated 10.10.2021 passed by the first respondent and to quash the same as arbitrary and illegal.

For Petitioner : Mr.H.Arumugam,
for Mr.M.Thirunavukarasu
For Respondents : 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 directed against the sale notice issued by the Union Bank of India, who is the respondent, fixing the e-auction on 11.11.2021.

4.According to the writ petitioner, the outstanding as on 31.08.2021 is Rs.23,22,189/- (Rupees Twenty Three Lakh Twenty Two Thousand One Hundred and Eighty Nine only).

5. It is stated that after the filing of writ petition, a sum of Rs.10,00,000/- (Rupees Ten Lakh only) has been deposited by the petitioner, without prejudice to their rights towards the loan account, which has also been acknowledged by the respondent-Bank.

6.Therefore, the auction fixed on 11.11.2021 is cancelled on condition that the balance of the loan amount would be settled by the petitioner within a period of three months, however, not beyond 10.02.2022.

7.With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AE)

// 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

+1 CC to M/s.M.THIRUNAVUKKARASU, Advocate (SR-34063[F] dated 11/11/2021)

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-34019[F] dated 10/11/2021)

ORDER MADE IN
W. P (MD) No. 20113 of 2021
10.11.2021