



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2021

CORAM :

THE HONOURABLE TMT.JUSTICE PUSHPA SATHYANARAYANA

and

THE HONOURABLE THIRU.JUSTICE P.VELMURUGAN

W.P(MD)No.21021 of 2021

and

WMP(MD)Nos.17669, 17621 and 17622 of 2021

- 1) R.Ramesh
- 2) R.Shanthi

... Petitioners

vs.

- 1) The Branch Manager,
Fullerton India Home Finance Company Limited,
No.163, Padmeswar Complex 2nd Floor,
Kamarajar Salai,
Madurai-625 009.

- 2) The Authorised Officer,
Fullerton India Home Finance Company Limited,
Megh Towers, 3rd Floor,
Old No.307, New No.165, P.H. Road,
Maduravoyal,
Chennai-600 095.

- 3) V.Jeyaraj

... Respondents

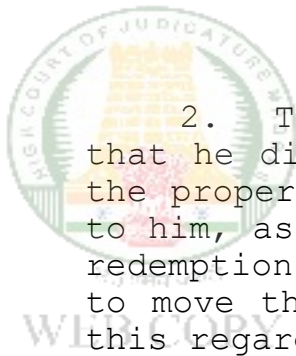
Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the sale auction notice dated 08.02.2021 issued by the 2nd respondent under the SARFEASI Act in respect of the sale notice mentioned property and set aside the sale dated 16.07.2021.

For Petitioner : Mr.K.Sujith

ORDER

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

The writ petitioner is challenging the sale certificate in favour of the 3rd respondent issued by the 1st respondent Finance Company, in an E-auction sale held on 25.03.2021. As the sale certificate itself has already been issued, this Court cannot grant any order to the writ petitioner.



2. Though the writ petitioner raised several grounds including that he did not receive the sale notice nor he was intimated about the property being brought to sale, those grounds are not available to him, as already sale certificate has been issued and his right of redemption is extinguished. However, it is open to the petitioner to move the Debt Recovery Tribunal and raise all his objections in this regard.

3. The Writ Petition is dismissed in the light of the above observation. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

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Sub Assistant Registrar(CS)

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+1 CC to M/s.K.SUJITH, Advocate (SR-36357[F] dated 29/11/2021)

ORDER MADE IN
W.P (MD) No.21021 of 2021
DATED : 25.11.2021

VR (CO)

GC (02.12.2021) 2P 2C