



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2021

CORAM:

WEB COPY THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P (MD) NO.20799 OF 2021

and

W.M.P (MD) No.17414 of 2021

P.K.Rajendran,
Son of Kaliyappa Gounder,
Pripietor M/s.Sri Ganesh Jewellers,
D.No.1-167,
Puliyumatham,
Muthunayaken patti,
Oddanchatram - 624 704,
Dindigul District.

:Petitioner

.vs.

1.The City Union Bank Limited,
through the Authorized Officer,
Credit Recovery and Management Department,
No.24-B, Gandhi Nagar,
Kumbakonam,
Thanjavur District.

2.The City Union Bank Limited,
Oddanchatram Branch,
through its Branch Manager,
Door No.213, 1A, Dindigul Road,
Opposite to Christian Fellowship Hospital,
Oddanhatram,
Dindigul District

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the impugned Tender order cum auction sale notice, dated 11.10.2021 in C.O/REC/NPA/2021, on the file of the first respondent and to quash the same.

For Petitioner : Mr.H.Lakshmi Shankar
For Respondents : Mr.Pala Ramasamy
Standing Counsel



O R D E R

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

WEB COPY This Writ Petition is filed seeking to quash the notice issued under Section 8(6) of the Security Interest(Enforcement) Rules, 2002, wherein, auction was fixed today i.e., on 22.11.2021 at 1.00 p.m.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The learned counsel appearing for the respondents/Bank would submit that there was no bidders today and hence, the auction was closed.

4.The learned counsel appearing for the Petitioner would submit that he would make some deposit to reverse the account from the category of Non-Performing Asset.

5.It is open to him to make such offer to the respondents/Bank and get his property released. As the auction which was under challenge is already over, nothing survives for adjudication in the present Writ Petition and as such, the Writ Petition has become infructuous.

6.Accordingly, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar (Crl)

// True Copy //

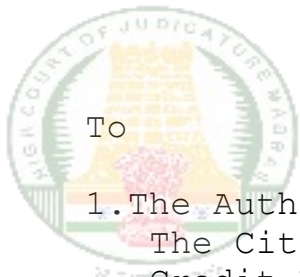
/ /2021

Sub Assistant Registrar(CS)

vsn

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.The Authorized Officer,
The City Union Bank Limited,
Credit Recovery and Management Department,
No.24-B, Gandhi Nagar,
Kumbakonam,
Thanjavur District.

2.The Branch Manager,
The City Union Bank Limited,
Oddanchatram Branch,
Door No.213, 1A, Dindigul Road,
Opposite to Christian Fellowship Hospital,
Oddanhatram,
Dindigul District.

+1 CC to M/s.PALA RAMASAMY, Advocate (SR-35404[F] dated
22/11/2021)

+1 CC to M/s.H. LAKSHMI SHANKAR, Advocate (SR-35686[F] dated
24/11/2021)

W.P(MD)NO.20799 OF 2021
and
W.M.P(MD)No.17414 of 2021
22.11.2021

RK(06/12/2021) 3P 5C