



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2021

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
and
THE HONOURABLE THIRU.JUSTICE P.VELMURUGAN

W.P (MD)No.21275 of 2021
and
WMP (MD)Nos.17857 and 17858 of 2021

S.Kumarasamy

... Petitioner

vs.

The Authorised Officer,
Tamilnadu Mercantile Bank Ltd.,
14-1-14 (14), A.S.A.R.A. Complex,
Sankarankovil Main Road,
Surandai,
Tirunelveli District.

... Respondent

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the entire record pertaining to the impugned 2nd sale notice dated 10.11.2021 schedule action on 03.12.2021 and impugned 3rd sale notice dated 12.11.2021 scheduled auction on 22.12.2021, issued by the respondent bank.

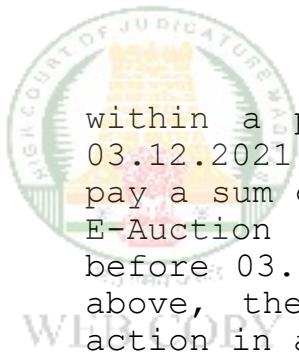
For Petitioner : Mr.P.M.Vishnuvarthanan
For Respondent : Mr.T.Thevan

ORDER

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

The writ petition is directed against the sale notice issued by the Tamilnadu Mercantile Bank Ltd., who is the respondent in the SARFAESI proceedings.

2. The outstanding amount is Rs.59,55,528.90. The sale is fixed on 03.12.2021 at 03.30 p.m. The writ petition is entertained by this Court, as there is no Presiding Officer in the Debt Recovery Tribunal, Madurai, and in view of the urgency expressed, without going into the merits of the case, there will be a direction to the petitioner to pay a sum of Rs.20,00,000/- (Rupees Twenty Lakhs only)



within a period of four weeks from today and the sale fixed on 03.12.2021 may be postponed. However, the petitioner herein has to pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), towards E-Auction expenses, which would be paid on or before 03.12.2021, before 03.30 p.m. If the petitioner commits default in any of the above, the respondent bank will be entitled to take any further action in a manner known to law.

3. With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

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/ /2021

Sub Assistant Registrar(CS)

Bala

TO:

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