



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2021

CORAM:

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND**

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

**W.P(MD)No.10409 of 2016
and W.M.P. (MD) No.8126 of 2016**

M/s.Best Buys,
Rep. by its Proprietor - T.M.Sriram,
No.7C, Williams Road,
Cantonment,
Trichy - 620 001,
Trichy District.

... Petitioner

Vs.

The Branch Manager,
Panjab National Bank,
Nandhi Kovil Street Branch,
Trichy - 620 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records on the file of the Respondent Bank in its impugned Notice issued under Section 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI) read with Rule 8(6) of the Security Interest Enforcement Rules, 2002, dated 11.05.2016 and quash the same.

For Petitioner	: No appearance
For Respondent	: Mr.Pala Ramasamy Standing Counsel

O R D E R

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

The Writ Petition has been filed challenging the notice issued by the respondent under Section 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI) read with Rule 8(6) of the Security Interest Enforcement Rules, 2002, dated 11.05.2016.

2.When the matter is taken up for hearing today (06.12.2021), there is no representation for the petitioner.



3.The learned Standing Counsel appearing for the respondent submitted that after the possession notice, the sale notice was also issued. However, he is not aware as to whether the sale is over or not.

4.In view of the above, the impugned possession notice has become infructuous and nothing survives for adjudication after this length of time. Hence, the Writ Petition is dismissed as infructuous. Consequently, connected Miscellaneous Petition is also dismissed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

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 Branch Manager,
Panjab National Bank,
Nandhi Kovil Street Branch,
Trichy - 620 002.

W.P (MD) No.10409 of 2016
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