



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2021

CORAM:

WEB COPY

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

W.P(MD)NO.22282 OF 2021

and

W.M.P(MD)Nos.18827 and 18834 of 2021

1.M/s.Pagampiriyal Traders,
represented by its Proprietor,
Mr.R.Asokan.

2.Vijaya :Petitioners
.vs.

1.The Authorized Officer,
The Union Bank of India,
Kalyarkovil Branch,,
Annai Complex, Arulsamy Building,
Madurai-Thondi Road,
Kalayarkovil - 630 551,
Sivagangai District.

2.The Branch Manager,
The Union Bank of India,
Kalayarkovil Branch,
Annai Complex, Arulsamy Building,
Madurai-Thondi Road,
Kalayarkovil 630 551,
Sivagangai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents from not taking any further steps under the sale notice³ dated 6.11.2021 pending disposal of S.A.No.566 of 2021, on the file of the Debts Recovery Tribunal, Madurai.

For Petitioners :Mr.K.Baalasundharam

For Respondents :Mr.N.Dilipkumar
Standing Counsel



O R D E R

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

The above Writ Petition is filed seeking issuance of a Writ of Mandamus directing the respondents from not taking any further steps under the sale notice, dated 6.11.2021 pending disposal of S.A.No.566 of 2021, on the file of the Debts Recovery Tribunal, Madurai.

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

3.When the matter is taken up for hearing today, the learned counsel appearing for the respondents/Bank would submit that the sale was fixed today between 11.00 a.m and 5.00 p.m.There was no bidder, as the EMD amount should have been deposited before the date of sale. As the sale itself is abandoned, the prayer sought for in the Writ Petition has become infructuous.

4.Accordingly, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar (W)

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/ /2021

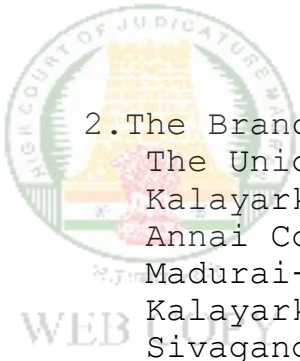
Sub Assistant Registrar(CS)

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

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+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-39348[F] dated 17/12/2021)

W.P(MD)NO.22282 OF 2021 and
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16.12.2021

RD(29.12.2021) 3P 4C