



W.P.No.25594of2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.25594/2022 and WMP.Nos.24593, 24594 and 24595/2022

M.S.K.Rameshraj

.. Petitioner

vs.

1. Indian Overseas Bank
rep. by its Assistant General Manager,
Asset Recovery Management Branch,
Ground Floor, Central Office Building,
763, Anna Salai,
Chennai-600 002.

2.The Authorized Officer,
Indian Overseas Bank,
Asset Recovery Management Branch,
Ground Floor, Central Office Building,
763, Anna Salai,
Chennai-600 002.

.. Respondents



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Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records on the file of the 1st respondent made in Ref.ARGB/46/2022-23 dated 22.7.2022 and the consequential order issued by the 1st respondent dated 7.9.2022 pertaining to e-auction sale of the subject property and quash both the same and consequently direct the 1st respondent to adhere to the OTS arrived at between the petitioner and the 1st respondent on 4.10.2021.

For Petitioner :: Ms.G.Selvi George

For Respondents :: Mr.Vignesh Imayavaramban
 for Mr.F.B.Benjamin George

ORDER

(Order of the Court was made by the Hon'ble Acting Chief Justice)

Challenging the proceedings made in Ref.ARGB/46/2022-23 dated 22.7.2022 followed by the order of the 1st respondent dated 7.9.2022 pertaining to e-auction sale of the subject property and for quashing of the both with a consequential direction, directing the 1st respondent to adhere to the OTS arrived at between the petitioner and the 1st respondent on



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4.10.2021, this Writ Petition has been filed.
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2. When the matter was called today, learned Counsel for the petitioner fairly submitted that the auction of the subject property-in-question scheduled to be held on 01.12.2022 did not take place for the reason that no bidder/taker came forward to participate in the public auction.

3. Recording the said statement of the learned Counsel for the petitioner, the Writ Petition is dismissed. However, liberty is granted to the writ petitioner to approach the respondent Bank. It is also made clear that if the petitioner approaches the respondent bank for clearing the outstanding amount, it is for the respondent bank to consider the same reasonably. No costs. Consequently, connected Miscellaneous Petitions are also closed.

(T.R.,A.C.J.) (D.K.K, J.)

02.12.2022



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THE HON'BLE ACTING CHIEF JUSTICE

AND

D.KRISHNAKUMAR, J.,

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To

- 1.Assistant General Manager,
Indian Overseas Bank,
Asset Recovery Management Branch,
Ground Floor, Central Office Building,
763, Anna Salai, Chennai-600 002.
- 2.The Authorized Officer,
Indian Overseas Bank,
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