



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED:27.01.2022

**CORAM:**

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

**W.P (MD)NO.1284 OF 2022**

**and**

**W.M.P (MD) Nos.1132 and 1133 of 2022**

V.Manikandan

:Petitioner

.vs.

The Union Bank of India,  
represented by its Authorized Officer,  
Madurai Main Branch,  
Town Hall Road,  
Madurai -1.

: Respondent

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned possession notice, dated 28.8.2019 and the consequential impugned order, dated 29.09.2021 made in Cr.M..P.No.289 of 2021, on the file of the learned Chief Judicial Magistrate, Madurai and to quash the same and consequently to direct the respondent to revive the Petitioner's loan as performing asset and to receive the monthly dues from the Petitioner, so as to enable the Petitioner to repay the entire loan amount.

For Petitioner :Mr.R.Ravichandran  
(No appearance)

For Respondent :Mr.V.S.Karthi

**O R D E R**

**\*\*\*\*\***

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

This Writ Petition is filed challenging the impugned order passed under Section 14 of the SARFAESI Act in Cr.M.P.No.289 of 2021, on the file of the learned Chief Judicial Magistrate, Madurai.

2.There is no representation for the Petitioner. Heard the learned counsel for the respondent/Bank and perused the materials placed before this Court.

<https://hcservicescourts.gov.in/services>



3.The learned counsel for the respondent/Bank states that pursuant to the order impugned herein, possession was taken on 04.11.2021. The auction was held on 11.11.2021 and the successful purchaser one M.Jeyapandi got the sale registered on 13.12.2021. It is further stated that the property was sold for a sale consideration of Rs.9,36,000/- and the amount due and payable by the Petitioner is Rs.8,74,420/-. After adjusting the above said amount out of the sale proceeds, the balance sale amount has been deposited to the credit of the account of the borrower, who is the Petitioner herein.

4.Therefore, there is nothing remains further for adjudication in this Writ Petition and as such, the statement made by the learned counsel for the respondent/Bank is recorded.

5.In view of the above, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2022

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 Chief Judicial Magistrate, Madurai

2.The Authorized Officer,  
Union Bank of India,  
Madurai Main Branch,  
Town Hall Road,  
Madurai -1.

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RD(04.02.2022) 2P 3C