



WEB COPY

W.P(MD)No.1597 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2022

CORAM

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**

and

THE HONOURABLE **MRS.JUSTICE S.SSRIMATHY**

W.P(MD)No.1597 of 2022

and

W.M.P(MD)Nos.1390 and 1392 of 2022

1.Sri Sastha Engineering Works & Sri Balaji Enterprise,
Represented by its,
Managing Partner D.Mohan.

2.M.Latha Rani,
Partner

... Petitioners

Vs.

1.Executive Director,
Canara Bank,
112, J.C.Road,
Bangalore - 560002.

2.General Manager,
Madurai Circle,
Canara Bank, Madurai.

3.The Authorised Officer-cum-
Chief Manager,
Canara Bank,
Teppakulam,
Tiruchirappalli -2.

4.V.Shanmugam

5.S.Ranjith Kumar

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to restrain the respondents 1 to 3 from auctioning the properties on 29.01.2022 based on sale notice dated 27.12.2021 vide Ref:SARF/TT-SSE/S/2021-22.

For Petitioner
For R-1 to R-3

:Mr.M.Jahangir Baba
:Mr.R.Pandivel

ORDER

(Order of the Court was made by **S.S.SUNDAR, J.**)

This writ petition is filed challenging the auction sale notice dated 27.12.2021 fixing the date of sale on 29.01.2022.

<https://hcservices.ecourts.gov.in/hcservices/>



2. Today, when the matter is taken up for hearing, the learned standing counsel appearing for the respondent bank, on instructions submitted that the sale as scheduled has not taken place for want of bidders and hence, the prayer in this writ petition has become infructuous.

3. However, it is brought to the notice of this Court that pursuant to the interim order granted by this Court, the petitioner has paid a sum of Rs.25,00,000/- on 02.02.2022. Though the petitioner had earlier paid a sum of Rs.37,00,000/- expecting acceptance of One Time Settlement, it is now represented before this Court that the said payment earlier made by the petitioner was returned to the petitioner.

4. The learned counsel appearing for the petitioner states that the petitioner has shown his bonafides by paying substantial amount. He further states that the State Government is also willing to lend its support to the petitioner Industry to come out of the financial crunch.

5. In view of the above, the respondent bank may consider the further representation of the petitioner either regarding One Time Settlement or for concession on interest or other representation in relation to the discharge of loan or re-scheduling of payments, if such representation is made by the petitioner within three weeks from the date of receipt of this order. Till such time the respondent consider the representation, they shall not advertise for sale of secured assets.

With the above observations, this writ petition is disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

Pm

+1 CC to M/s.M. JAHANGIR BABA, Advocate (SR-27834[F] dated 23/06/2022)

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SS/04/07/2022/ 2P 2C