



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2022

CORAM:

WEB COPY

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

W.P (MD)No.2407 of 2022

and

W.M.P. (MD) Nos.2078 and 2079 of 2022

M/s.M.Yuvarajj Agency,
Through its Proprietor,
C.Murugan,
S/o.Chinna Veeran,
D.No.46/3, Main Road,
Varusanadu - 625 579.

... Petitioner

Vs.

1.The Authorized Officer,
Tamilnad Mercantile Bank Ltd.,
Regional Office,
No.30, Besant Road,
Chinna Chokkikulam,
Madurai - 625 002.

2.The Branch Manager,
Tamilnad Mercantile Bank Ltd.,
Mayiladumparai Branch,
No.41-E, Main Road, Ground Floor,
Nagar Complex,
Mayiladumparai,
Theni District - 625 579.

... 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 of the impugned Public Auction Sale Notice dated 04.01.2022 issued by the 1st respondent Published in The Hindu Daily News Paper dated 05.01.2022 and quash the same as illegal.

For Petitioner : Mr.A.Mohamed Hashim

For Respondents : Mr.T.Thevar
Standing Counsel



O R D E R

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

The Writ Petition has been filed by the petitioner challenging the Public Auction Sale Notice, dated 04.01.2022, issued by the first respondent in The Hindu Daily News Paper dated 05.01.2022.

2.Heard Mr.A.Mohamed Hashim, learned counsel for the petitioner and Mr.T.Thevar, learned Standing Counsel, appearing for the respondents.

3.By consent, the Writ Petition itself is taken up for final hearing at the stage of admission.

4.Rightly, the petitioner has filed S.A.No.52 of 2022, on the file of the Debts Recovery Tribunal, Madurai. Since there is no Presiding Officer in the Debts Recovery Tribunal, Madurai, the petitioner has also filed this Writ Petition.

5.In view of the above, without going into merits of the claim made by the petitioner, we direct the Debts Recovery Tribunal, Madurai, to transmit the papers in S.A.No.52 of 2022 to the Debts Recovery Tribunal, Coimbatore and the Debts Recovery Tribunal, Coimbatore, is directed to take up the matter for hearing on 10.02.2022 and pass appropriate orders on merits and in accordance with law.

6.The Writ Petition stands disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar

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 Debts Recovery Tribunal,
Madurai.

2.The Debts Recovery Tribunal,
Coimbatore.

3.The Authorized Officer,
Tamilnad Mercantile Bank Ltd.,
Regional Office,
No.30, Besant Road,
Chinna Chokkikulam,
Madurai - 625 002.

4.The Branch Manager,
Tamilnad Mercantile Bank Ltd.,
Mayiladumparai Branch,
No.41-E, Main Road, Ground Floor,
Nagar Complex,
Mayiladumparai,
Theni District - 625 579.

W.P (MD) No.2407 of 2022
04.02.2022

sj

MS/15.02.2022/3P.5C