



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

AND

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)No. 3240 of 2022
and W.M.P.(MD) No.2839 of 2022

M.Deepa

.. Petitioner

Vs

1. The Authorized Officer,
Indian Bank,
M/s. University Branch,
Abishekapatti,
Tirunelveli.

2. The Chief Manager /Authorized Officer,
Indian Bank,
Tenkasi.

3. The Authorized Officer,
Indian Bank,
Palayamkottai Branch.

4. The Branch Manager,
Indian Bank,
M/s. University Branch,
Abishekapatti,
Tirunelveli.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records pertaining to the impugned E-Auction Sale notice dated 07.01.2022 issued by the 1st respondent and quash the same.

For Petitioner : Mr.M.Sam Eugene Jebakumar
For Respondents : Mr.R.Pandivel

ORDER

(Made by PARESH UPADHYAY,J.)

This Court had, on 21 February 2022, passed the following order:

"1. Learned advocate for the petitioner states that Rs. 3 lakhs of rupees is already paid. It is not in



dispute that, the loan was taken for business to run the fancy store and in the last two years, because of the circumstances beyond control, the default has occurred.

2. To give breathing time to the petitioner, list on 18.03.2022. The outstanding amount shall be paid by that time.

3. It is ordered that, the sale of the property, which is indicated to be scheduled tomorrow, shall not be held."

2. Today, learned advocate for the respondent bank has submitted that, not only the outstanding amount is not paid to settle the account, no amount is paid at all after the last order. Learned advocate for the petitioner is not in a position to dispute this.

3. Discretion exercised by this Court before about a month need not be continued further.

4. In view of above, this Writ Petition is dismissed. Interim protection granted earlier is vacated. No costs. Consequently, connected miscellaneous petition would not survive.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

To

1. The Authorized Officer,
Indian Bank, M/s. University Branch,
Abishekapatti, Tirunelveli.
2. The Chief Manager /Authorized Officer,
Indian Bank, Tenkasi.
3. The Authorized Officer,
Indian Bank, Palayamkottai Branch.
4. The Branch Manager,
Indian Bank,
M/s. University Branch, Abishekapatti, Tirunelveli.

W.P (MD) No.3240 of 2022
18.03.2022

NSN (CO)

KB (31.03.2022) 2P 5C

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