



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P (MD)No.7790 of 2022
and W.M.P. (MD) No. 5852 of 2022

M.S.Yamuna

.. Petitioner

Vs

1.The District Collector cum District Magistrate,
Trichy District,
Trichy.

2.The Authorized Officer / Chief Manager,
UCO Bank, Somarasampettai Branch,
Trichy District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records pertaining to the impugned sale notice dated 22.03.2022 issued by the 2nd respondent under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 read with Rule 8(6) of the Security Interest (Enforcement) Rules, 2002 for sale of petitioner's immovable properties including residential building situated in S.F.No. 31/2 at Somarasampettai Village, Srirangam Taluk, Trichy District on 30.04.2022, quash the same as illegal.

For Petitioner	:	Mr.T.Vadivelan
For Respondents	:	Mr.M.Sidharthan, Additional Government Pleader for R1 Mr.K.Periyasamy for R2

ORDER

(Made by R.VIJAYAKUMAR, J.)

The present writ petition has been filed challenging the sale notice dated 22.03.2022. The sale is proposed to be held on 30.04.2022.

2. Learned Standing Counsel for the second respondent strongly opposed for entertaining the writ petition.



3. Considering the fact that the property in question is a residential house, we are inclined to pass the following orders:-

3.1 There shall be an order of interim stay on condition that the petitioner shall deposit a sum of Rs.11,00,000/- (Rupees Eleven Lakhs only) on or before 29.04.2022.

3.2 The petitioner shall deposit a further sum of Rs.11,00,000/- (Rupees Eleven Lakhs only) on or before 30.05.2022.

4. In case of default in payment of any one of the instalments, the bank is at liberty to proceed under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

5. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition would not survive.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sj/17

To

The District Collector cum District Magistrate,
Trichy District,
Trichy.

+1 CC to M/s.SPL.GP (SR-20918[F] dated 25/04/2022)

W.P(MD)No.7790 of 2022
22.04.2022

RK(02/05/2022) 2P 3C