



WEB COPY

W.P(MD)No.7817 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2022

CORAM:

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

and

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.7817 of 2022

and W.M.P.(MD) Nos.5865 and 5866 of 2022

A.Manivel

... Petitioner

Vs.

The Authorized Officer,
Union Bank of India,
V.T.Patty, Siluvathur Post,
Dindigul - 624 306.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to e-auction sale notice dated 21.03.2022 and quash the same as illegal, improper and ultra vires and also to restore encumbrance free possession to the petitioner.

For Petitioner : Mr.K.R.Badurus Zaman

For Respondent : Mr.N.Dilipkumar
Standing Counsel

ORDER

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

The petitioner has filed the writ petition, challenging the e-auction sale notice dated 21.03.2022 issued by the respondent bank, fixing the sale on 29.04.2022 between 11.00 AM and 3.00 PM.

2. When the writ petition was entertained on 22.04.2022, this Court has granted interim stay on condition to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) on or before 28.04.2022 and deposit a further sum of Rs.2,00,000/- (Rupees Two Lakhs only) on or before 30.05.2022 by the petitioner. It appears the total outstanding amount is around Rs.6,56,000/-.

3. Learned counsel for the petitioner as well as learned Standing Counsel for the respondent bank have admitted that the petitioner has complied with the conditions as directed by this Court in the order dated 22.04.2022.



4. In view of the fact that this Court had granted interim stay, there was no sale as scheduled in the sale notice. Therefore, the prayer in the Writ Petition has now become infructuous. Accordingly, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are also dismissed.

5. Learned counsel for the petitioner and learned Standing Counsel for the respondent are agreeable that the petitioner may be directed to approach the Bank either for One Time Settlement or re-schedule of repayment schedule after negotiations.

6. In view of the above submissions, the petitioner shall submit a representation or proposal either for One Time Settlement or re-schedule of repayment schedule to the respondent bank within a period of two weeks from today. In case, the petitioner has made such representation or proposal within the said time, the respondent Bank shall consider the same and pass orders within a period of four weeks from the date of receipt of such representation or proposal. Till such time the respondent Bank shall not take any coercive steps by proceeding against the secured property for sale.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Sj

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-25127[F] dated 10/06/2022)

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