



W.P.(MD) No.8182 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.8182 of 2022
and
W.M.P.(MD) No.6100 of 2022

M/s. Sri Vinayaga Trading Enterprises
Rep by its Proprietor P.Namachivayam
S/o.N.Periyasamy
Plot No.13/14, Sri Siva Sakthi Nagar
Mathur Post, Pudukkottai – 622 515

... Petitioner

-vs-

Canara Bank
Rep.By its Authorised Officer
SR College Branch
Tiruchirappalli, Sankaran Pillai Road
Tiruchirappalli – 620002

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for all the relevant records pertaining to the impugned E-auction Sale Notice dated 23.03.2022 in Reference No.SARF/SR-SVT and NP/S/2021-2022 fixing the date of sale as 25.04.2022 and quash the same and to direct the respondent to consider the petitioner's case for extending time period of One Time Settlement (OTS).



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For Petitioner : Mr.Sanjey Vignesh.J.

For Respondent : Mr.R.Pandivel

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

The prayer in this writ petition is for issuance of a writ of certiorarified mandamus to quash the e-auction sale notice dated 23.03.2022, in reference No.SARF/SR-SVT and NP/S/2021-2022, issued by the respondent - Bank, fixing the date of sale as 25.04.2022 and to direct the respondent - Bank to extend time for one time settlement.

2. Today, when the matter was taken up for hearing, the learned counsel appearing for the respondent – Bank submitted that the e-auction sale notice dated 23.03.2022, impugned in this writ petition, has been cancelled and a fresh sale notice has been issued thereafter.

3. The learned counsel for the petitioner, by way of reply, submitted that the writ petition may be closed granting liberty to the petitioner to challenge the subsequent sale notice before the authority concerned, in the manner known to law.



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4. Granting such liberty, this writ petition is closed.

Consequently, connected miscellaneous petition is closed.

[R.M.D., J.] [J.S.N.P., J.]

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Index : Yes / No

Internet : Yes / No

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