



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.05.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.SURESH KUMAR**
and
THE HONOURABLE MR.JUSTICE **R.VIJAYAKUMAR**

W.P (MD) .No.10358 of 2022
and
W.M.P (MD)No.7351 of 2022

A.Manoharan

... Petitioner

Vs.

1.The Authorized Officer,
Canara Bank,
West Avani Moola Street Branch,
Madurai - 625 001.

2.Karthick Raja

... Respondents

Prayer:Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorari, to call for the records pertaining to the impugned notice published by the first respondent in Thina Thanthi News Paper dated 28.04.2022 and quash the same.

For Petitioner : Ms.AL.Gandhimathi
For Respondents : Mr.V.S.Karthick
for R-1

O R D E R

(Order of the Court was made by **R.VIJAYAKUMAR, J.**)

The present Writ Petition has been filed challenging the impugned notice, dated 28.04.2022 issued by the first respondent Bank requesting the default borrower to take back the articles out of the property which has already been auctioned.

2. According to the writ petitioner, the petitioner requires some more time than what is being mentioned in the impugned notice.

3. The counsel appearing for the first respondent Bank submits that the sale has been confirmed and the sale certificate has also been issued. However, the petitioner is not in a position to hand over the vacant possession to the successful bidder.



4. Now, the learned counsel appearing for the petitioner submits that the petitioner will clear the entire articles that are found in the property, which has already been auctioned, on or before 24.06.2022.

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5. Considering the submission made by both sides, the impugned Caution Notice issued by the first respondent Bank shall be kept in abeyance till 24.06.2022. If the petitioner has not chosen to remove the articles by that time, the first respondent Bank is at liberty to remove the said articles on their own and keep it in some other place for safe custody.

6. With the above observation, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (As)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MGA/PJL

+1 CC to M/s.AL. GANTHIMATHI, Advocate (SR-24128[F] dated 26/05/2022)

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MGJ(02.06.2022) 2P 2C