



WEB COPY

W.P(MD)No.10751 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.06.2022

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.10751 of 2022

and

W.M.P(MD)No.7761 of 2022

1.M/s.S.S.Traders,
4/14A, Manthoppu,
Madathattuvilai,
Villukkuri,
Nagercoil,
Kanyakumari District.

2.M.Arul Sebastin (Proprietor),
S/o.Mariackon,
4/14A, Manthoppu,
Madathattuvilai,
Villukkuri,
Nagercoil,
Kanyakumari District.

... Petitioners

Vs.

The Authorized Officer,
Canara Bank,
Nagercoil College Road Main Branch,
Nagercoil,
Kanyakumari District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned sale notice dated 01.12.2021 of the respondent under SARFAESI Act and quash the same.

For Petitioners

: Mr.S.Ramakrishnan

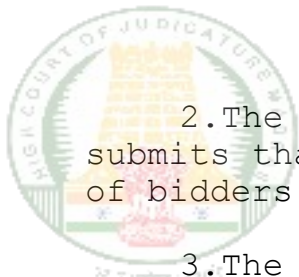
For Respondent

: Mr.P.Pethurajesh

O R D E R

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

The present Writ Petition has been filed challenging a sale notice dated 01.12.2021 proposing to hold the sale on 30th December, 2021.



2.The learned counsel for the respondent Bank, on instructions, submits that on 30th December, 2021, no sale has taken place for want of bidders.

3.The present Writ Petition has been filed only based upon an apprehension that the Bank may proceed to conduct the sale based upon the sale notice, dated 01.12.2021.

4.According to the learned counsel for the respondent Bank, the Bank has proposed to issue a fresh sale notification followed by paper publication and thereafter proceed with the sale. Hence, the apprehension is unfounded.

5.Recording the submission made by the learned counsel for the respondent Bank, the present Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Vacation Officer/
Assistant Registrar (CO)

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

pm/ps

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

The Authorized Officer,
Canara Bank,
Nagercoil College Road Main Branch,
Nagercoil,
Kanyakumari District.

+1 CC to M/s.P. PETHU RAJESH, Advocate (SR-24242[F]
dated 02/06/2022)

W.P (MD) No.10751 of 2022
01.06.2022

NSN (CO)

CC(09.06.2022)-2P 3C
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