



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.06.2022**

CORAM

WEB COPY

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
AND
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.12559 of 2022
and
W.M.P(MD)No.8896 of 2022**

S.Nagalakshmi

...Petitioner

Vs.

1.The Authorized Officer,
State Bank of India,
Ambasamudram Branch,
No.330-A, Main Road,
Ambasamudram,
Tirunelveli District.

2.The Authorized Officer,
State Bank of India,
Stressed Assets Recovery Branch,
No.8, Dr.Ambedkar Road,
Vinayaga Nagar Branch First Floor,
Madurai - 625020.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the online auction sale notice dated 24.05.2022 issued by the second respondent bank under Rule 8(6) of the Security Interest(Enforcement) Rules 2002 of SARFAESI Act and to quash the same as arbitrary and illegal.

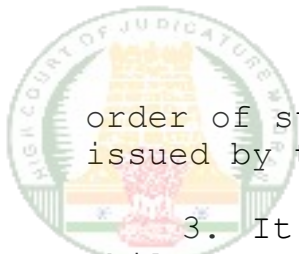
For Petitioner	:	Mr.M.Thirunavukkarasu
For Respondents	:	Mr.P.Pethu Rajesh

O R D E R

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

Challenging the sale notice issued by the second respondent bank, dated 24.05.2022, the above writ petition is filed.

2. When the matter is taken up for hearing today, the learned standing counsel appearing for the respondent bank on instructions submitted that the bank has withdrawn the sale as the petitioner has already challenged the sale before the Tribunal and obtained an



order of stay of all further proceedings pursuant to the sale notice issued by the bank.

3. It is admitted that the condition imposed by the Tribunal while granting interim order had been complied with by the petitioner. However, despite the stay granted by the Tribunal was in force, by mistake, the property has been advertised for sale.

4. In view of the submission made by the learned standing counsel appearing for the respondent bank that the sale notice is withdrawn, this writ petition is dismissed as infructuous. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

PM

TO

1.The Authorized Officer,
State Bank of India,
Ambasamudram Branch,
No.330-A, Main Road,
Ambasamudram,
Tirunelveli District.

2.The Authorized Officer,
State Bank of India,
Stressed Assets Recovery Branch,
No.8, Dr.Ambedkar Road,
Vinayaga Nagar Branch First Floor,
Madurai - 625020.

+1 CC to M/s.M. THIRUNAVUKKARASU, Advocate (SR-27278[F] dated 22/06/2022)

+1 CC to M/s.P. PETHU RAJESH, Advocate (SR-27486[F] dated 22/06/2022)

W.P (MD) No.12559 of 2022
21.06.2022

NSN(CO)
KB(28.06.2022) 2P 5C