



W.P.(MD) No.14185 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.10.2022

CORAM:

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

**W.P.(MD) No.14185 of 2022
and
W.M.P.(MD) No.10144 of 2022**

Mohamed Eakieem

... Petitioner

-VS-

Authorised Officer
Punjab National Bank
Circle Sastra Center
Circle Office Madurai
Aparna Towers
2 & 3, Bypass Road
Madurai-625 010

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records of the impugned possession notice dated 25.05.2022 issued by the respondent, quash the same and consequently directing the respondent to adhere the statutory procedure laid down in the SARFAESI Act and Security Interest (Enforcement) Rules,



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WEB COPY 2022 in respect of the petitioner's residential house in R.S.No.434/12,
Mathusoodhanapuram North Village, Nagercoil, Kanyakumari District.

For Petitioner : Mr.Arun Swaminathan.R.

For Respondent : Mr.Ananth C.Rajesh, Standing Counsel

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 possession notice dated 25.05.2022 issued by the respondent – Bank and to direct the respondent – Bank to adhere the statutory procedures in respect of the petitioner's residential house situated in R.S.No.434/12, Mathusoodhanapuram North Village, Nagercoil, Kanyakumari District.

2. Today, when the matter was taken up for hearing, the learned Standing Counsel appearing for the respondent – Bank submitted that subsequent to the filing of this writ petition, the impugned possession notice has been withdrawn and sale has not taken place.



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3. The learned counsel for the petitioner submitted that the petitioner has approached the respondent – Bank with the proposal of one time settlement and the same is under consideration.

4. Recording the above submission of the learned Standing Counsel appearing for the respondent – Bank and leaving it open to the respondent – Bank to consider the petitioner's proposal for one time settlement on merits and in accordance with law, the writ petition is closed. No costs. 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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