



W.P.(MD) No.15118 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.15118 of 2022

and

W.M.P.(MD)No.10816 of 2022

D.Ravi

... Petitioner

-Vs-

1.Punjab National Bank,
Rep. by Branch Manager,
No.43, Heber Road Bemma Nagar,
Trichy - 620 001.

2.The Authorised Officer,
Punjab National Bank,
Circle Office Trichy,
PNB House, Trichy - Tanjore Road,
Kailasapuram, Trichy - 620 014.

... Respondents

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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the impugned e-auction sale notice issued by the 2nd respondent bank dated 30.05.2022 proposing to conduct an e-auction on 13.07.2022 and quash the same as arbitrary and illegal and without jurisdiction.

For Petitioner : Mr.H.Lakshmi Shankar

For Respondents : No appearance

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

The e-auction sale notice dated 30.05.2022 issued by the 2nd respondent bank, proposing to conduct an e-auction on 13.07.2022, is under challenge in this Writ Petition.

2.When the matter was taken up for admission on 12.07.2022, this Court has granted an interim order on condition that the petitioner shall pay a sum of Rs.1,00,000/- on or before 13.07.2022, further sum of Rs.1,00,000/- on or before 30.08.2022 and further sum of Rs.1,15,000/- on or before 30.09.2022. According to the petitioner, he has complied with the said conditional interim

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order and filed a memo to that effect. After making the aforesaid payment by the petitioner, the impugned sale proceedings had not taken place.

3.Now, the learned counsel for the petitioner made a request before this Court that the petitioner may be permitted to submit a proposal seeking One Time Settlement to the respondent Bank and the same may be directed to be considered by the respondent Bank within a time frame.

4.There is no representation on behalf of the respondent Bank.

5.In view of the above, we are of the view that since the petitioner has duly complied with the conditional interim order of this Court dated 12.07.2022, the sale proceedings had not taken place. Therefore, the prayer sought for herein has become infructuous. As regards the request of the petitioner, he is permitted to submit a proposal for One Time Settlement to the respondent Bank within a period of two weeks from the date of receipt of a copy of this order. On receipt of such proposal, the respondent Bank shall consider the same in the light of RBI norms.



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6.This Writ Petition stands dismissed as infructuous, accordingly. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] & [R.V., J.]

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Internet : Yes / No

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