



W.P.(MD)No.17189 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2022

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**
and
THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.P(MD)No.17189 of 2022
and
W.M.P.(MD)No.12562 of 2022

P.Renganathan

... Petitioner

Vs.

1.The Authorized Officer,
Canara Bank, Trichy-620 001.

2.Canara Bank,
rep.by its Branch Manager,
Trichy Puthur Branch,
Trichy-620 017.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari to call for the records of the respondent in the E-auction sale notice, dated 18.06.2022 and to quash the same and consequently to set aside the sale of the petition schedule properties in the auction sale on 25.07.2022 as null and void.

For Petitioner :Mr.RM.Makesh Kumaravel

For Respondents :Mr.Ajmal Khan

Senior Counsel

for Mr.C.Depak



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ORDER

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

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This Writ Petition has been filed challenging the E-auction sale notice, dated 18.06.2022 and to set aside the sale of the petition schedule properties in the auction sale on 25.07.2022 as null and void.

2.Heard Mr.RM.Makesh Kumaravel, learned Counsel for the petitioner and Mr.Ajmal Khan, learned Senior Counsel for Mr.C.Deepak, learned Standing Counsel, who takes notice on behalf of the respondents.

3.It is admitted by the petitioner that sale has already taken place and the property has also been purchased by a third party auction purchaser for the price just above the upset price fixed by the respondent bank. However, the petitioner has not impleaded the auction purchaser. Since the petitioner has not impleaded the auction purchaser in this Writ Petition, this Writ Petition is dismissed. However, liberty is given to the petitioner to file another Writ Petition or file a SARFAESI Application before the Debts Recovery Tribunal after impleading the auction purchaser. No costs. Consequently, connected miscellaneous petition is closed.

[S.S.S.R., J.] [S.S.Y., J.]
03.08.2022

Index : Yes / No
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