



W.P.(MD)No.23527 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2022

CORAM

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

W.P(MD)No.23527 of 2022
and W.M.P.(MD) No.17606 of 2022

M/s.Vimalanandha Educational Charitable Trust,
A Trust represented by its Chairman,
M/s.R.Muruganathan,
S/o. Ramasamy Thevar,
D.No.40/B13/406/1,
Vimal Illam, Rameshwaram Main Road,
Uchipuli, Ramanathapuram – 623 534.

... Petitioner

Vs.

- 1.The Regional Director,
Reserve Bank of India,
16, Rajaji Salai,
Fort Glasis,
Chennai – 600 001.
- 2.The Karur Vysya Bank,
Rep. by its Authorized Officer,
Asset Recovery Management Branch,
R.S.No.170/7, Uthangudi,
Near Mattuthavani Bus Stand,
Madurai – 625 107.
- 3.The Manager,
Karur Vysya Bank,
Salai Street,
Ramanathapuram,
Ramanathapuram District.

... Respondents



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Prayer:- Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the E – Auction notice dated 17.09.2022, issued by the 2nd Respondent and quash the same and consequently directing the 2nd Respondent to restructure the loan amount.

For Petitioner : Mr.R.Murugappan

For Respondents 2 and 3 : Mr.R.Pandivel
Standing Counsel

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ORDER

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

The petitioner has come forward with this writ petition, challenging the E – Auction notice dated 17.09.2022, issued by the 2nd Respondent and consequently, for a direction to the 2nd respondent to restructure the loan amount.

2. Today, when the matter was taken up for hearing Mr.R.Pandivel, learned Standing Counsel, who accepts notice on behalf of the respondents 2 and 3, submitted that the sale could not be completed for want of bidders and therefore, the prayer in the Writ Petition has become infructuous.



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3. Mr.R.Murugappan, learned counsel for the petitioner does not refute the same. He further submitted that the petitioner is inclined to approach the respondent bank to settle the entire loan amount.

4. Recording the said submission of the learned counsel on either side, this Writ Petition is dismissed as infructuous, with liberty to petitioner to approach the respondent bank for settling the entire loan amount. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

[R.M.D., J.] [J.S.N.P., J.]
12.10.2022

Internet : Yes / No
Index : Yes / No
sj

To

1.The Regional Director,
Reserve Bank of India,
16, Rajaji Salai,
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R.MAHADEVAN, J.

and

J.SATHYA NARAYANA PRASAD, J.

sj

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