



W.P.(MD) No.25321 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD) No.25321 of 2022
and W.M.P.(MD)No.19407 of 2022

G.Sadasivam

... Petitioner

Vs.

1.The Debts Recovery Tribunal,
IV Floor, Kalyani Tower,
Melur Road, Madurai.

2.The Authorised Officer,
Canara Bank,
SME Branch, No.50, VMR Complex,
Byepass Road, Vasanth Nagar,
Madurai – 625 003.

3.Mr.Kamaraj

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned Auction

Page 1 of 4



W.P.(MD) No.25321 of 2022

WEB COPY Sale Notice of the 2nd respondent dated 01.08.2022 and the consequential Auction Sale conducted by the 2nd respondent on 20.08.2022, in favour of the 3rd respondent (Item No.4 in the impugned Auction Sale Notice) and quash the same.

For Petitioner : Mr.S.Suresh

For Respondents : Mr.V.S.Karthi,
Standing Counsel for R1 & R2
Mr.B.Sukumar for R3

ORDER

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

Challenging the sale notice of the 2nd respondent dated 01.08.2022 and the consequential auction sale conducted by the 2nd respondent on 20.08.2022, the petitioner has filed this Writ Petition.

2. At the time of admission, this Court by order dated 08.11.2022, has granted an order of *status quo*, based on the undertaking given by the petitioner that the entire outstanding amount will be paid. Thereafter, when the matter was



W.P.(MD) No.25321 of 2022

came up for hearing on 24.11.2022, since the petitioner has not complied with the aforesaid undertaking given by him, this Court has vacated the interim order of *status quo*.

3. Today, when the matter was taken up for hearing, the learned counsel appearing for the respondents bank submitted that sale certificate has already been issued in favour of the petitioner and therefore, nothing survives for further adjudication in this Writ Petition.

4. Recording the aforesaid submission, this Writ Petition is dismissed. However, this order will not preclude the petitioner from proceedings his remedy before the Debts Recovery Tribunal, Madurai in the pending proceedings, if any. No costs. Consequently, connected miscellaneous petition is closed.

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

09.12.2022

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Index : Yes / No

Internet : Yes / No

Page 3 of 4



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vsm



W.P.(MD) No.25321 of 2022

D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

vsm

To

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W.P.(MD) No.25321 of 2022

09.12.2022

Page 4 of 4