



W.P.No.2678 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.2678 of 2021

1.M.Lakshmipathiraj
2.Saraswathi

.. Petitioners

Vs

The Chief Manager,
Bank of India, Gandhipuram Branch,
No.41/46, Grounds Floor,
DBM Arkattalai Building Complex,
7th Street, Tatabad,
Coimbatore-641 012.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari to call for the records of impugned e-auction sale notice dated 24.12.2020 bearing Ref.No.ZO/CBE/RD/SARFAESI/2020-21/XII/02 issued by the respondent, quash the same.

For the Petitioners : No appearance

For the Respondent : Mr.F.B.Benjamin George



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ORDER

(Order of the court was made by the Hon'ble Chief Justice)

The petitioners are challenging the e-auction sale notice dated 24.12.2020 issued by the respondent bank.

2. On 09.04.2021, a Co-ordinate Bench of this Court had passed the following order:

"The petitioners are not represented yet again. The matter was last taken up on February 9, 2021 when the petitioners had not been represented.

2. The respondent bank is represented and it is submitted on behalf of the bank that measures have been taken under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 against the secured assets furnished by the petitioners.

3. Let the matter appear a week after the summer vacation. If the petitioners are not represented when the matter is next taken up, the petition may be dismissed for default.



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4. *In any event, the pendency of this petition will not stand in the way of the respondent bank from proceeding with the measures taken under the said Act of 2022 in accordance with law.*

List on 09.06.2021."

3. Today also none appears for the petitioners.

4. The writ petition is dismissed for non-prosecution. There will be no order as to costs. Consequently, W.M.P.Nos.3006 and 3008 of 2021 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

21.06.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKEVALU, J.

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