



W.P. No.11695 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2023

CORAM :

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

AND

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

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and

W.M.P. Nos. 11581 and 11582 of 2023

1. GSA Plant Engineering Services Pvt. Ltd.
Rep. By its Director Mr. R.Shankar
No.1, First Street, Race View Colony
Guindy, Chennai – 600 032.

2. R.Shankar
3. K.S.Dhandapani
4. D.Vijayalakshmi

.. Petitioners

-VS-

Union Bank of India
Represented by its Authorized Officer
Having its office at George Town Branch-3
Armenian Street, George Town
Chennai – 600 001.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records connected with the E-Auction Notice dated 03.04.2023 (served to the petitioners on 10.04.2023) the auction to be held on 26.04.2023 issued by the Respondent and quash the same and consequently direct the Respondent to grant time to settle the loan as one time settlement to the petitioners.



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For the Petitioners : Mr. S.Ilamvaludhi
For the Respondent : Mr. W.M.Abdul Azeez

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ORDER

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

We have heard Mr.S.Ilamvaludhi, learned counsel for the petitioners and Mr.W.M.Abdul Azeez, learned counsel for the bank.

2. The petitioners are challenging the e-auction notice dated 03.04.2023 and also seeking directions against the respondent to grant time to the petitioners to settle the loan as one time settlement.

3. The learned counsel for the petitioners submits that the bank has called the petitioners tomorrow for discussion.

4. The learned advocate for the petitioners, on instructions, makes a statement that the auction that was scheduled pursuant to e-auction notice dated 03.04.2023 could not materialize and the auction has not taken place.



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5. In view of that, the purpose of the writ petition now challenging e-auction notice does not survive. With regard to the settlement, it is already submitted that the petitioners have been called by the bank tomorrow. It is for the petitioners to approach the bank and for the bank to consider the request of the petitioners, as may be permissible.

The writ petition is disposed of. There will be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.V.G., CJ.)

(P.D.A., J.)

07.06.2023

Index : yes/no
Neutral Citation : Yes/No
sra

To:

The Authorized Officer
Union Bank of India
Having its office at George Town Branch-3
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Chennai – 600 001.

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

(sra)

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