



W.P.No.20621 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2023

CORAM :

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

AND

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

W.P.No.20621 of 2023

Bakkiyalakshmi Elangovan

.. Petitioner

Vs

- 1.The Union of India,
rep. by its Finance Secretary,
Department of Financial Services,
Ministry of Finance,
3rd Floor, Jeevan Deep Building,
Sansad Marg, New Delhi-110 001.
- 2.M/s.Punjab National Bank,
Having its Registered Office,
Plot No.4, Sector 10,
Dwarka, New Delhi – 110 075.
- 3.The Chief Manager,
Having its Circle Office at
M/s.Punjab National Bank,
Chennai Circle, No.769 2nd Floor,
Spencer Plaza, Anna Salai,
Chennai-600 002.



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4.S.Srinivasan

The Authorised Officer,
Having office at:
M/s.Punjab National Bank,
Chennai Circle, No.769 2nd Floor,
Spencer Plaza, Anna Salai,
Chennai-600 002.

5.The Branch Manager,

Having Office at:
M/s.Punjab National Bank,
Thiruvallur Branch,
No.1, Shiva Vishnu Temple,
Thiruvallur – 602 001.

6.Anand Naga Prakshita

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct the respondents 1 to 5 to proceed with the eviction process in pursuant to the e-auction and issuance of sale certificate dated 8.9.2022 issued by the fourth respondent in favour of the petitioner, thereby providing the physical possession of the immovable property bearing Flat No.G-2 (Northern Portion) in Ground Floor, 'E' Block, Plot No.147 A Part & 148 A Part, Railway Border Road, Kumaran Nagar, Sevvapet, Thiruvallur – 602 025 to an extent of UDS of 266.5 sq. ft. and suer built-up area of 666 sq. ft. based on the petitioner's representation dated 17.06.2023.

For the Petitioner : Mr.V.Ramana Reddy

For the Respondents : Mr.Sivabharathi
for respondent No.1



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: Mr.T.Raghunathan
for respondents 2 to 5

: Mr.M.Prabakar
for respondent No.6

ORDER

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

We have heard Mr.V.Ramana Reddy, learned counsel for the petitioner; Mr.N.Sivabharathi, learned counsel for the first respondent; Mr.T.Raghunathan, learned counsel for respondents 2 to 5; and Mr.M.Prabakar, learned counsel for the sixth respondent.

2. Learned counsel for the petitioner submits that the petitioner is a purchaser in an auction conducted by the respondent/bank and sale certificate is issued on 8.9.2022, however, as yet, the sale certificate is not registered, nor possession is delivered.

3. Learned counsel for the respondent/bank submits that



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within two days application under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 will be filed for taking possession and the bank is also willing to register the sale certificate as and when the petitioner pays the stamp duty.

4. In view of the aforesaid statement made by learned counsel for the respondent/bank, no further orders are required to be passed in this writ petition. The writ petition is disposed of accordingly. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

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

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

(sasi)

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