



WEB COPY



WP No.24588 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2023

CORAM

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

AND

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

WP No.24588 of 2023

1.E.Praveenkumar

2.Jayamani

3.E.Nakeeran

: Petitioners

versus

The Authorised Officer,

Union Bank of India,

No.5943, Obli Towers,

DB Road, Coimbatore 641 002

: Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus forbearing the respondent or their men, agents, servants or anybody claiming under them from conducting e-auction sale either on 24.08.2023 or to any other subsequent dates in respect of property at T.S.No.10/2624, an extent of 653.40 sq.ft. in D.No.20/1, 20/2, P.T.Thevar lane, Old Ward No.10, New Ward No.3, Ramanathapuram Village, Coimbatore 641 045.

For the Petitioners : Mr.B.Manimaran

For the Respondents : Mr.S.Shanmugaraja,
for M/s.Chennai Law Firm



WP No.24588 of 2023

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.B.Manimaran, learned counsel for the petitioners and Mr.S.Shanmugaraja, learned counsel for the respondent.

2. The petitioners are challenging the auction sale notice. On 21.08.2023, we had passed an order that the petitioners shall deposit Rs.6,50,000/- with the bank and we had observed that the bank may proceed further with the auction but shall not finalise it till today.

3. The petitioners have deposited an amount of Rs.6,50,000/-. The learned counsel for the bank submits that none had bid in the auction and now, the respondent bank will have to initiate fresh process of action for recovery.

4. As the auction sale notice impugned in the Writ Petition itself does not survive, we dispose of the writ petition. In case fresh action is initiated by the bank and if the petitioners have legitimate cause, then



WP No.24588 of 2023

the petitioners may agitate afresh.

WEB COPY

5. The Writ Petition is disposed of. There will be no order as to costs. Consequently, WMP No.24011 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

08.09.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

To

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WEB COPY



WP No.24588 of 2023

THE HON'BLE CHIEF JUSTICE
AND
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(tar)

WP No.24588 of 2023

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