



WEB COPY



WP No.32603 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.32603 of 2023

M.R.Saravanan

: Petitioner

versus

The Authorised Officer,
Bank of Baroda, Regional Branch,
Chennai

: Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling the records of the impugned Auction Sale Notice dated 09.10.2023 in the file of respondent bank and quash the same and further direct the respondent bank to consider the one-time settlement request and not to initiate recovery proceedings

For the Petitioner : No appearance

For the Respondent : Mrs.Revathi Manivannan



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ORDER

(Made by the Hon'ble Chief Justice)

None appears for the petitioner.

2. We have heard Mrs.Revathi Manivannan, learned counsel for the respondent.

3. On 20.11.2023, we passed the following order:

“The matter was called out in the morning session. None appeared for the petitioner. The matter was kept back. In the afternoon session also, when the matter is called, none appeared for the petitioner.

2. Learned counsel for the bank is present on both occasions.

3. Learned counsel for the bank submits that the present petition is an abuse of the process of law. One application was filed before the Debts Recovery Tribunal bearing S.A.No.636 of 2023 challenging the same sale notice. The DRT has granted stay under order dated 10.11.2023 and the same is pending.

4. If these are the facts, then the present petition is abuse of the process of law and Court also.

5. Place the matter on 22.11.2023.”



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4. Thereafter, on 22.11.2023, we passed the following order:

“On the last date none appeared for the petitioner. In fact, we would have dismissed the writ petition on the said date. However, to give an opportunity, we kept the matter today.

2. Today, learned counsel for the petitioner appeared and seeks time.

3. Place the matter on 24.11.2023.

4. If on the next date the matter is not argued on behalf of the petitioner, we will be constrained to dismiss the writ petition.”

5. Accordingly, the matter is kept today, i.e. 24.11.2023. Today also none appears for the petitioner.

6. The writ petition is therefore dismissed. There will be no order as to costs. Consequently, WMP No.32186 of 2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

24.11.2023

Index : Yes/No
Neutral Citation : Yes/No
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To
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THE HON'BLE CHIEF JUSTICE
AND

D.BHARATHA CHAKRAVARTHY, J.

(tar)

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