



W.P(MD)No.967 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2023

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.967 of 2023
and
W.M.P(MD)Nos.911 & 912 of 2023**

S.Jothimani

... Petitioner

VS.

1.The Hon'ble Chief Judicial Magistrate,
Chief Judicial Magistrate Court,
Madurai.

2.The Authorized Officer,
Represented by Karur Vysya Bank,
Anna Nagar Branch,
Door No.149, A & Bm
Alagar Kovil Road,
Tallakulam,
Madurai.

3.The Authorized Officer,
Represented by Karur Vysya Bank,
Asset Recovery Branch,
R.S.No.170/9, Uthankudi Village,
Near Mattuthavani Bus Stand,
Madurai – 107.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned sale notice in Ref: ARB/MDU/Auction/1258/Amirtham/01/2022-23, dated 05.12.2022 on the file of the third respondent and quash the same as illegal and consequently directing the respondents 2 and 3 to grant six months period to the petitioner for repayment of the entire amount of Rs.47,00,000/- to the second respondent in view of the OTS scheme.

For Petitioner : Mr.R.Udhayakumar

For RR 2 & 3 : Mr.R.Pandivel
Standing Counsel

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

Challenging the impugned sale notice, dated 05.12.2022, issued by the third respondent, the petitioner has filed the present Writ Petition.

2.Today, when the matter was taken up for hearing, the learned Standing Counsel appearing for the respondents 2 and 3 submitted that the sale could not be taken place for want of bidders on 10.01.2023 and therefore, nothing survives in this Writ Petition for adjudication.



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3.Recording the same, this Writ Petition is closed. No costs.

Consequently, connected Miscellaneous Petitions are closed.

[D.K.K.,J.] [R.V.,J.]
19.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes

To

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D.KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

ps

ORDER MADE IN
W.P(MD)No.967 of 2023

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