



W.P.(MD)No.4015 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.4015 of 2023

and

W.M.P.(MD)No.3892 of 2023

Kannan

... Petitioner

Vs.

- 1.The Chief Manager / Authorized Officer,
Canara Bank,
Bodinayakkanur,
Theni District.
- 2.The Branch Manager,
Canara Bank,
Thevaram Branch,
Theni District.
- 3.The District Educational
Officer (Elementary Education),
Theni, Theni District.



W.P.(MD)No.4015 of 2023

WEB COPY

4.The Headmaster,
Union Middle School,
Uthamapalayam,
Theni District.

5.Raguvarman

6.Palpandian

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned E-auction sale notice dated 25.01.2023 passed by the 1st respondent and quash the same as illegal.

For Petitioner : Mr.S.Bharathy Kannan

For Respondents : Mr.R.Pandivel,
Standing Counsel for R1 & R2
Mr.J.Anand,
Addl. Govt. Pleader for R3

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

In view of the fact that the Debts Recovery Tribunal, Madurai is functioning once in a week, we are inclined to entertain this Writ Petition.

Page 2 of 4



W.P.(MD)No.4015 of 2023

WEB COPY 2. Challenging the impugned E-auction sale notice dated 25.01.2023 issued by the 1st respondent, the petitioner has filed this Writ Petition.

3. The learned counsel appearing for the respondents - Bank submitted that there is no bidder in the auction conducted by the respondents bank and therefore, the prayer sought for by the petitioner has become infructuous.

4. Recording the aforesaid submissions, this Writ Petition is dismissed. In respect of the allegations made in the writ petition with regard to the manner in which the respondents Bank has conducted the sale is concerned, it is for the petitioner to approach the Deputy Recovery Tribunal for appropriate remedy. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] [L.V.G., J.]
27.02.2023

NCC : Yes / No
Index : Yes / No
vsm



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D.KRISHNAKUMAR, J.
and
L.VICTORIA GOWRI, J.

vsm

To

The District Educational
Officer (Elementary Education),
Theni, Theni District.

W.P.(MD)No.4015 of 2023

27.02.2023

Page 4 of 4