



WEB COPY

W.P.(MD)No.4758 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2023

CORAM:

**THE HON'BLE MR.T.RAJA, THE ACTING CHIEF JUSTICE
and
THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR**

**W.P.(MD)No.4758 of 2023
and
W.M.P.(MD)Nos.4422 and 4423 of 2023**

P.Pulugaruppa Ayyanar

... Petitioner

vs.

1.The Authorised Officer,
Indian Bank,
No.5, Podayan Street,
Bodinayakanur-625 513.

2. The Branch Manager,
Indian Bank,
Bodinayakkanur Branch,
Bodinayakkanur Town,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, call for the records relates to the impugned E-Auction Sale Notice dated 16.02.2023 issued by the 1st respondent and quash the same as he has no jurisdiction to bring sale of the agricultural lands in S.No.114/4B in Mayiladumparai Village in Aundipatti Taluk in Theni District which is exempted under Section 31 of the Securitization and Reconstruction of the Financial Assets and Enforcement of Security Interest Act, 2002.



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For Petitioner : Mr.R.Suriyanarayanan
For Respondents : Mr.R.Pandivel, Standing Counsel

ORDER

**[Order of the Court was made by
The Hon'ble The ACTING CHIEF JUSTICE]**

Challenging the E-Auction Sale Notice dated 16.02.2023 issued by the 1st respondent, this writ petition is filed.

2. Today, when the writ petition was taken up for hearing, learned standing counsel appearing for the respondents fairly submitted that the impugned sale notice has not been issued to the legal heirs of a co-borrower and therefore, he has been advised to make a submission that the respondent will withdraw the impugned sale notice and will issue fresh sale notice to the legal heirs of the co-borrower.

3. Recording the said submission, the Writ Petition is disposed of. No costs. Connected miscellaneous petitions are closed.

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

[T.R., A.C.J.] [D.K.K., J.]
03.03.2023



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W.P.(MD)No.4758 of 2023:

T.RAJA, A.C.J.
and
D.KRISHNAKUMAR, J.

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ORDER MADE IN
W.P.(MD)No.4758 of 2023
DATED : 03.03.2023