



W.P.(MD)No.5991 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2023

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**

and

THE HONOURABLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.(MD)No.5991 of 2023

and

W.M.P(MD)No.5608 of 2023

P.Selvam

... Petitioner

Vs.

The Authorised Officer/Chief Manager,
City Union Bank Limited.,
Credit Recovery and Management Department,
24-B, Gandhi Nagar, Kumbakonam,
Thanjavur District – 612 001.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned auction sale notice issued by the respondent in C.O./REC/NPA/2022-2023 dated 18.02.2023 and quash the same as illegal and unconstitutional and consequently forbearing the respondents from in any manner proceeding with the sale of the secured assets of the petitioner which are hypothecated with the respondent bank.

For Petitioner :Mr.R.Ganesan

For Respondent :Mr.V.S.Karthik,
Standing Counsel



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ORDER

(Order of the Court was made by **S.S.SUNDAR, J.**)

Heard Mr.R.Ganesan, learned counsel for the petitioner and Mr.V.S.Karthik, learned Standing Counsel for the respondent – Bank.

2. This writ petition has been filed by the petitioner challenging the impugned auction sale notice, dated 18.02.2023, issued by the respondent in C.O./REC/NPA/2022-2023 and to forbear the respondent from in any manner proceeding with the sale of the secured assets of the petitioner which are hypothecated with the bank.

3. When the matter is taken up for hearing today, it is represented by the learned counsel for the petitioner that this Court while entertaining the writ petition passed an interim order. Thereafter, as the petitioner has complied with the conditional order, the interim order already granted was directed to be continued. Subsequently, at the request of the petitioner, the bank has regularised the account of the petitioner.



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4. The learned Standing Counsel appearing for the respondent bank

also states that the sale notice has been withdrawn.

5. In view of the subsequent developments, this Court finds that the prayer sought for in this writ petition has become infructuous. Hence, this writ petition is dismissed as infructuous. No Costs. Consequently, connected miscellaneous petition is closed.

[S.S.S.R., J.] [D.B.C., J.]

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Index : Yes / No

NCC : Yes/No

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