



W.P(MD)No.6203 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P(MD)No.6203 of 2023
and
W.M.P(MD)No.5908 of 2023**

Mary Helen

... Petitioner

-VS-

Authorized Officer,
Bank of Baroda,
No.34, Balamore road,
Nagerkovil,
Kanyakumari-629 001.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned sale notice of the respondent dated 22.02.2023 for E-Auction scheduled to be conducted on 28.03.2023 between 2.00 p.m and 6.00 p.m and quash the same as illegal.

For Petitioner : Mr.R.Balamuruganantham

For Respondent : Mr.P.Pethu Rajesh
Standing Counsel



W.P(MD)No.6203 of 2023

ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

The petitioner has filed this Writ Petition challenging the impugned sale notice of the respondent dated 22.02.2023 for E-Auction scheduled to be conducted on 28.03.2023 between 2.00 p.m and 6.00 p.m.

2. Heard Mr.R.Balamuruganantham, learned counsel for the petitioner and Mr.P.Pethu Rajesh, learned Standing Counsel for the respondent.

3. It is now represented that challenging the sale notice of the respondent dated 22.02.2023 for E-Auction, which is impugned in the Writ Petition, the borrower has also gone before the Debts Recovery Tribunal in S.A.No.97 of 2023. It is further stated that interim order was also granted on conditions.

4. In such circumstances, giving liberty to the petitioner to prosecute and pursue the SARFAESI Application in S.A.No.97 of 2023, this Writ Petition is dismissed. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

[S.S.S.R, J.] [D.B.C., J.]
02.08.2023

Index : Yes / No
Neutral Citation : Yes / No
sj



WEB COPY



W.P(MD)No.6203 of 2023

S.S.SUNDAR, J.
and
D.BHARATHA CHAKRAVARTHY, J.

sj

W.P(MD)No.6203 of 2023

02.08.2023