



WEB COPY

W.P.(MD) No.6208 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**W.P.(MD) No.6208 of 2023
and
W.M.P.(MD) Nos.5909 & 7001 of 2023**

S.Manjula

... Petitioner

-VS-

1.The Authorized Officer
Indian Bank
762/1, Sri Parvathy Towers
1st Floor, Near Bus Stand
Oddanchatram
Dindigul District-624 619

2.The Branch Manager
Indian Bank
Oddanchatram Market Branch
762/1, Sri Parvathy Towers
1st Floor, Near Bus Stand
Oddanchatram
Dindigul District-624 619

3.P.Thanthondi
[R3 is impleaded vide Court order dated
14.09.2023 in W.M.P.(MD) No.6446 of 2023]

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari calling for the records of the impugned sale notice dated 17.02.2023 issued by the first respondent and the consequential e-auction sale conducted by the first respondent on 09.03.2023 and quash the same as illegal.

For Petitioner : Mr.G.Prabhu Rajadurai
for Mr.K.Mu.Muthu

For Respondents : Mr.N.Dilip Kumar for R1 & R2
Mr.M.Ramachandran for R3

ORDER

[Order of the Court was made by V.LAKSHMINARAYANAN, J.]

The petitioner in this writ petition challenges the sale notice dated 17.02.2023 and the consequential e-auction sale conducted on 09.03.2023, by the respondent – Bank.

2. This writ petition was entertained because there was no Presiding Officer in the Debts Recovery Tribunal, Madurai. Now, a Presiding Officer has been appointed and the Debts Recovery Tribunal, Madurai, is functioning.



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3. Therefore, we grant fifteen days time from today to the petitioner to challenge the impugned proceedings of the respondent – Bank before the Debts Recovery Tribunal, Madurai and to move the Tribunal for interim order, if the petitioner so desires.

4. With the above liberty, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[S.M.S., J.]

[V.L.N., J.]

04.10.2023

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

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and
V.LAKSHMINARAYANAN, J.

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