



WMP(MD). No.6173 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Special Original Jurisdiction

Wednesday, the Fifteenth day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice S.M.SUBRAMANIAM

AND

The Hon`ble Mr.Justice V. LAKSHMINARAYANAN

WMP(MD). No.6173 of 2023

in

WP(MD).No.2786 of 2023

Renganathan P

... Petitioner/Petitioner

..Vs..

1 The Authorized Officer,
Canara Bank ,
Asset Recovery Management Branch ,
Regional Office No.1, Royal Road ,
Cantonment, Trichy- 620 001.

2 Canara Bank,
Rep. by its Branch Manager ,
Trichy, Puthur Branch ,
No.604, Anbagam Buildings,
Puthur Four Road, Trichy- 620 017.

3 P.R.B.Archana

4 M/s. J.K.Agencies
Represented by its Proprietor
Sri. Sundraselvam Panneerselvam
S/o.Pannerselvam,26/4a,New Street,
Amma Mandapam Road,Srirangam,Tiruchirappalli.

(R3 and R4 are impleaded vide court order
dated 28.07.2023 in WMP(MD).15128/2023
in WP(MD).2786/2023)

... Respondents



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Prayer :-

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Writ Miscellaneous Petition filed under Article 226 of Constitution of India to extend one month further time in the order dated 10.03.2023 passed in WP(MD) 2786/2023.

Prayer in WP(MD).2786/2023:

Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorari to call for the records pertaining to the impugned sale notice issued by the 1st respondent in Ref.CB ARM : TRY : SN ACL 1249773000026 &1249261000384/JAN/2023/RV dated 02.01.2023 fixing the auction on 13.02.2023 quash the same.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.T.Lajapathi Roy Senior Counsel For Mr.K.Rajeshwaran, Advocate for the Petitioner and of Mr.M.Ajmal Khan Senior Counsel for C.Deepak for Respondents No.1 and 2, Mr.Veera Kathiravan, Senior Counsel for Mr. Mohamed Athif for Respondents No.3 and 4, this Court made the following order:

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

By a consent order, the auction purchaser had agreed that if the borrower pays a sum of Rs.4 Crores, the movable properties will be handed over to him. As per the order of this Court, the amount of Rs.4 Crores, which had been arrived between the auction purchaser and the borrower, is said to have been paid.

2.Both the learned Senior Counsels appearing on behalf of the auction purchaser as well as the borrower confirm the same.



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3.Now, all that remains is the handing over of the materials. The Bank officials, auction purchaser and the borrower shall take inventory of all the items available as on today with the help of the professional photographer within a period of 48 hours from today (15.11.2023). The charges for the photograph and handing over of the materials shall be borne by the borrower. After the list is taken, the auction purchaser is granted two months time to hand over the materials to the borrower. Insofar as the immovable property is concerned, the parties are at liberty to workout their remedy before the jurisdictional Debts Recovery Tribunal.

4.With the above observations, this Writ Miscellaneous Petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/11/2023

Sub Assistant Registrar(CS)

Yuva

TO

1 The Authorized Officer
Canara Bank ,Asset Recovery Management Branch ,
Regional Office, No.1 Royal Road,
Cantonment , Trichy- 620 001.



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2. The Branch Manager,
Canara Bank, Trichy Puthur Branch ,
No.604, Anbagam Buildings ,
Puthur Four Road, Trichy- 620 017.

+1. CC to M/S.K.RAJESHWARAN, Advocate SR.No.51364

ORDER DATED : 15/11/2023

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ORDER

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WMP(MD). No.6173 of 2023

in

WP(MD).No.2786 of 2023

Giving direction and etc.
as stated within.

RD(16/11/2023) 4P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.