



W.P.(MD)No.6684 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.6684 of 2023

and

W.M.P(MD)No.6315 & 6317 of 2023

V.Paramahamsan

: Petitioner

Vs.

1.The Authorised Officer,
DCB Bank Limited,
Retail Assets Collection, 1st Floor,
No.6, Rajaji Road,
Nungambakkam,
Chennai – 600 034.

2.The Senior Manager,
DCB Bank Limited,
Door No.14-1 A-142 S.V.S.K.Tower,
1st Floor, Alagarkovil Main Road,
Thallakulam, Madurai – 625 002.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned E-auction Sale Notice issued by the



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respondent herein dated 07.01.2023 and quash the same as illegal and consequently, forbearing the respondent from in any manner interfering with the petitioner's peaceful possession and his enjoyment.

For Petitioner : Mr.C.Gangai Amaran

For Respondents : Mr.A.Anbarasi
Standing Counsel

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J)

This writ petition is filed challenging E-auction Sale Notice issued by the respondent herein dated 07.01.2023 and seeking a consequential relief of forbearing the respondent from in any manner interfering with the petitioner's peaceful possession and enjoyment.

2.Mr.A.Anbalagan, learned Standing Counsel takes notice for the respondents. He would contend that the petitioner did not comply with the conditional order granted in W.P(MD)No.15709 of 2022, in which, the



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petitioner had challenged the order passed under Section 14 of the SARFAESI Act by the Chief Judicial Magistrate. Therefore, according to him, the petitioner is not entitled to any indulgence. He would add that the sale did not take place since there was no bidder. Therefore, the prayer itself has become infructuous.

3.Recording the said submission, this writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition are closed.

[R.S.M., J.] & [L.V.G., J.]
28.03.2023

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



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L.VICTORIA GOWRI.,J

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