



W.P.(MD) No.8498 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.8498 of 2023
and
W.M.P.(MD) No.7861 of 2023**

M/s.Guru Engineering and Trading
represented through its Proprietor
G.Gomathi
D/o.Sri Gurusamy
D.No.121/3E
Plot No.121, Ezhil Nagar
Trichy-620 014

... Petitioner

-vs-

Canara Bank
rep.by Authorized Officer
Thuvakudi Branch
Trichy

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records of the impugned sale notice issued by the respondent dated 28.02.2023 and quash the same as



W.P.(MD) No.8498 of 2023

devoid of merits consequently directing the respondent to not to take physical possession of property in Survey No.555/2, Plot No.17, 18, 36 and 37, an extent of 5073 sq.fts in Ward No.13, Ambethkar Nagar, Thuvakudi North Malai, Thuvakudi Village, Trichy District and Plot No.121, Door No.121/3E, an extent of 2400 sq.ft., in Survey No.597/2, 597/3, Survey No.597/4, Survey No.600/1, Survey No.600/2, Survey No.600/4, Survey No.600/5 in Semmangulam Village, Thiruverumbur Taluk, Trichirappalli District.

For Petitioner : Mr.A.Haja Mohideen

For Respondent : Mr.C.Deepak

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

The sale notice dated 28.02.2023, issued by the respondent – Bank, is under challenge in this writ petition.

2. Learned counsel for the respondent – Bank would submit that the auction was held on 31.03.2023 and the secured assets have already been sold. Hence, we do not see any reason to entertain this writ petition.



W.P.(MD) No.8498 of 2023

WEB COPY

3. Leaving it open to the petitioner to approach the Debts Recovery Tribunal, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

13.04.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

krk



WEB COPY



W.P.(MD) No.8498 of 2023

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

krk

W.P.(MD) No.8498 of 2023
and
W.M.P.(MD) No.7861 of 2023

13.04.2023