



W.P.(MD).No.12560 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.05.2023

CORAM:

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
and
THE HONOURABLE MS.JUSTICE P.T.ASHA**

**W.P.(MD).No.12560 of 2023
and
W.M.P.(MD).Nos.10619 and 10620 of 2023**

S.Muthaiah

... Petitioner

Vs.

The Authorised Officer,
Canara Bank,
Asset Recovery Management Branch,
1st Floor, Regional Office,
Muthaiah Towers,
Williams Road,
Trichy.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, forbearing the respondent, their officers, men, agents, representatives, assigns and / or anyone claiming under or through them or on their behalf to desist from in any manner taking any action or coercive steps pursuant to the Sale Notice dated 01.03.2023 and the sale proceedings held on 06.04.2023 in respect of the house property situated at Old SF No.245 Part, New Natham SF No.608/2 to an extent of 11250 sq.ft of house site, Kallal Village, Karaikudi Taluk, Sivagangai District consequently to direct the respondent not to issue sale certificate based



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on the sale proceedings held on 06.04.2023 until the disposal of the petition for extension of time in I.A.No.816/2023 and impleading petition to implead the auction purchaser in I.A.No.839/2023 in S.A.No.131/2023 pending before the Debts Recovery Tribunal, Madurai.

For Petitioner : Mr.R.Alagumani

For Respondent : Mr.C.Deepak

Standing counsel

ORDER

(Order of the Court was made by M.S.RAMESH.J.,)

This writ petition has been filed for issuance of a writ of Mandamus, forbearing the respondent, their officers, men, agents, representatives, assigns and / or anyone claiming under or through them or on their behalf to desist from in any manner taking any action or coercive steps pursuant to the Sale Notice dated 01.03.2023 and the sale proceedings held on 06.04.2023 in respect of the house property situated at Old SF No.245 Part, New Natham SF No. 608/2 to an extent of 11250 sq.ft of house site, Kallal Village, Karaikudi Taluk, Sivagangai District and consequently to direct the respondent not to issue sale certificate, based on the sale proceedings held on 06.04.2023 until the disposal of the petition for extension of time in I.A.No.816/2023 and impleading petition to implead the auction purchaser in I.A.No.839/2023 in S.A.No.



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131/2023 pending before the Debts Recovery Tribunal, Madurai.

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2. Since the petitioner herein has already moved the Debt Recovery Tribunal for extension of time for complying with the order passed by this Court in the writ petition, the present writ petition seeking for an extension restraining the respondent from taking any coercive action cannot be maintained and the writ petition stands dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

**[M.S.R.J.,] [P.T.A.J.,]
24.05.2023**

akv

To

The Authorised Officer,
Canara Bank,
Asset Recovery Management Branch,
1st Floor, Regional Office,
Muthaiah Towers,
Williams Road,
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M.S.RAMESH,J.



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and
P.T.ASHA,J.

akv

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