



W.P.(MD).No.12593 of 2023

WEB COPY

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.12593 of 2023
and
W.M.P.(MD).No.10636 of 2023**

M.Abdul Raheem

... Petitioner

Vs.

The Authorised Officer,
State Bank of India,
Stressed Assets Recovery Branch,
Madurai.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the sale notice issued by the respondent in his proceedings 'Nil' dated 05.04.2023 and quash the same as illegal, consequently directing the respondent to extend the OTS scheme in respect of his dues with respect to loan Account No.1096801071.

For Petitioner : Mr.T.Lenin Kumar

For Respondent : Mr.Thevan

Standing counsel



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ORDER

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

The sale notice dated 05.04.2023 is under challenge in the present writ petition.

2. According to the learned counsel for the petitioner, though the sale was conducted on 27.04.2023, sale certificate has not been issued.

3. Per contra, the learned Standing counsel appearing for the respondent would submit that the sale certificate has been issued on 09.05.2023 itself and that the sale proceedings are concluded. But the auction purchaser has not been made as a party respondent in the present writ petition.

4. In view of the conclusion of the sale, challenge to the sale notice may not be sustainable. Accordingly, this Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

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

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