



W.P.(MD) No.13124 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2023

CORAM:

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

W.P.(MD) No.13124 of 2023

and

W.M.P.(MD) No.11107 of 2023

S.Kavitha

... Petitioner

-vs-

The Authorized Officer
Canara Bank
Thirunagar, Madurai District-625 006

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari to call for the records relating to the impugned sale notice issued under Section 13(4) r/w Rule 8(6) of SARFAESI Act, dated 02.05.2023, by the respondent bank and to quash the same as illegal.

For Petitioner : Mr.M.Sankar

For Respondent : Mr.P.Madhan Alexander

ORDER

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

Mr.P.Madhan Alexander, learned counsel, takes notice for the respondent – Bank.



W.P.(MD) No.13124 of 2023

2. The sale notice issued fixing the sale today is under challenge in this writ petition.

3. Learned counsel appearing for the respondent – Bank would submit that there are no bidders. It is also brought to our notice that the petitioner has challenged the possession notice in W.P.(MD) No.6781 of 2023 and has been favoured with an order on 28.03.2023 permitting him to pay the amount due in installments. However, the said order has not been complied with by the petitioner.

4. Hence, we do not see any reason to entertain this writ petition. This writ petition, therefore, fails and it is accordingly dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

07.06.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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