



W.P.(MD) No.14221 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2023

CORAM:

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

**W.P.(MD) No.14221 of 2023
and
W.M.P.(MD) Nos.12040 and 12041 of 2023**

M/s.Nagi Engineering and
Technologies Private Limited,
Rep. by its Managing Director
N.Paneerselvam.

... Petitioner

-VS-

The Authorized Officer,
Canara Bank,
ARM (Assets Recovery Management) Branch,
Trichy District.

... 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 respondents impugned E-Auction Sale Notice dated 02.02.2023 and consequential impugned order of the Chief Judicial Magistrate, Tiruchirappalli in Cr.M.P. No.15769/2023 dated 25.05.2023 in respect of house property in Plot No.15, Door No.30, Survey No.90/3, 91/1 an extent of 2400 Sq.fts in Puthur Village, Trichirappalli Taluk,



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Trichirappalli District and quash the same as devoid of merits consequently direct the respondent to give proper extension of time for OTS proposal dated 25.03.2022 and to permit the petitioner to settle the matter as per the said OTS.

For Petitioner : Mr.A.Haja Mohideen

For Respondent : Mr.C.Deepak

ORDER

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

Mr.C.Deepak, learned Standing Counsel, takes notice for the respondent – Bank.

2. With the consent of both sides, this writ petition is taken up for final hearing at the admission stage itself.

3. The petitioner's challenge is to the sale notice issued by the respondent – Bank.



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4. Mr.C.Deepak, learned counsel appearing for the bank would submit that the sale has already been held on 10.03.2023 and the sale certificate has also been issued.

5. We do not think we can entertain this writ petition at this stage since third party rights have intervened. Hence, the writ petition stands dismissed. It will be open to the petitioner to approach the jurisdictional Debts Recovery Tribunal. No costs. Consequently, the connected miscellaneous petitions are closed.

[R.S.M., J.]

[L.V.G., J.]

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NCC : No
Index : No
Internet : Yes
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