



W.P(MD)No.20636 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2023

CORAM :

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.20636 of 2022
and
WMP(MD)No.14964 of 2022

1. Thiru. M.S.S.R.Gunaseelan

2. Thiru G.Sivakumaran
Partner : M/s.Spice Asia,
No.60, Sulochana Street,
Virudhunagar-626 001.

... Petitioners

VS.

1. The Authorized Officer,
Karur Vysya Bank,
Asset Recovery Branch,
R.S.No.170/9, Mattuthavani-Melur Road,
Near Mattuthavani Bus Stand,
Mattuthavani,
Madurai-625 107.

2. Karur Vysya Bank,
Rep by its Branch Manager,
Virudhunagar Branch,
No.47/1, Katcheri Road,
Madurai Road, Virudhunagar-626 001.

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3. Debts Recovery Tribunal-Madurai,
Rep by the Registrar,
III & IV Floor, Kalyani Towers,
4/162, Madurai-Melur Road,
(Near Meenakshi Mission Hospital),
Uthangudi Post,
Madurai-625 107.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari calling for the records pertaining to the E-Auction Sale Notice dated 18.08.2022 issued by the 1st respondent and quash the same.

For Petitioner : Mr.ARL.Sunaresan, Senior Counsel for
Mr.V.Veerapandian
For R1 & R2 : Mr.Pandivel, Standing Counsel

ORDER

(Order of the Court was made by D.KRISHNAKUMAR, J.)

Challenging the E-Auction Sale Notice dated 18.08.2022 issued by the 1st respondent, this writ petition is filed.

2. Learned Standing Counsel appearing for the respondents 1 and 2 submitted that in view of the interim stay granted by this Court



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on 01.09.2022, no sale had taken place and therefore, the prayer in this writ petition has become infructuous. Further, the OTS proposal submitted by the petitioner also came to be rejected by the respondent Bank.

3. Recording the aforesaid submission, this Writ Petition is dismissed with liberty to the petitioner to approach the appropriate forum for appropriate remedy. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K.,J.] & [R.V.,J.]
23.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
bala

To

The Registrar,
Debts Recovery Tribunal-Madurai,
III & IV Floor, Kalyani Towers,
4/162, Madurai-Melur Road,
(Near Meenakshi Mission Hospital),
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and
R.VIJAYAKUMAR, J.

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ORDER MADE IN
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DATED : 23.01.2023