



W.P(MD)No.19575 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2023

CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**W.P(MD)No.19575 of 2023
and
W.M.P(MD)No.16178 of 2023**

K.Vasanth

... Petitioner

vs.

The Authorized Officer,
Canara Bank,
Bodinayakanur Branch,
4/56, Kamaraj Bazaar,
Bodinayakanur,
Theni District-625 513.

... Respondent

Prayer : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to Sale Notice issued by the Respondent dated 25.07.2023 and quash the same and consequently direct the Respondent not to proceed with the sale and physical possession of the property.

For Petitioner : Mr.W.Pamelin
For Respondent : Mr.V.S.Karthick, Standing Counsel



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ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

We have heard Mr.W.Pamelin, learned counsel appearing for the petitioner and Mr.V.S.Karthick, learned Standing Counsel appearing for the respondent.

2. The petitioner under order dated 10.08.2023, was directed to deposit Rs.50,00,000/- on or before 31.08.2023. The petitioner has not deposited the said amount. The conduct of the petitioner is not proper. This Court under the said order, permitted the Bank to go on with the proposed sale, but further directed not to confirm it subject to the condition that the petitioner deposits Rs.50,00,000/-.

3. Learned counsel appearing for the respondent Bank submits that one of the bidders had participated, but in view of the interim order, he withdrew from the bid. Now the Bank will have to resort to re-auction. Certainly, if the respondent Bank resorts to re-auction, the petitioner may find it difficult to get equitable order from this Court, as the petitioner has failed to deposit the amount as directed by this Court.



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4. The Writ Petition is accordingly disposed of. No costs.

Connected miscellaneous petition is closed.

[S.V.G., C.J.]

[C.K., J.]

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Index : Yes / No
Neutral Citation : Yes / No
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THE HONOURABLE CHIEF JUSTICE
and
C.KUMARAPPAN, J.

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