



W.P.(MD).No.23729 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 15.12.2023

CORAM

**THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD).No.23729 of 2023
and
W.M.P.(MD).Nos.19903 and 19904 of 2023

Ramachandran

.. Petitioner

Vs.

1.The Recovery Officer – 1,
Debt Recovery Tribunal,
Madurai.

2.The Chief Manager,
Indian Bank,
NGO Colony Branch,
Trivandrum Road (Near New Bus Stand),
Tirunelveli - 627 005.

3.T.P.Murugan,
Recovery Officer – 1,
Debt Recovery Tribunal,
Madurai.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorari, calling for the records relating to the impugned proclamation of sale and the e-auction sale notice dated 01.09.2023 issued



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by the 1st respondent in R.C.No.13 of 2022 in OA.No.51 of 2013 on the file of the Debt Recovery Tribunal, Madurai and quash the same.

For Petitioner : Mr.V.Meenakshi Sundaram
for Mr.G.Mohan Kumar
For R-1 : Mr.K.Govindarajan
Deputy Solicitor General of India
For R-2 : Mr.C.Karthik
For R-3 : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

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

The present Writ Petition has been instituted challenging the proclamation of sale and the e-auction sale notice dated 01.09.2023 issued by the 1st respondent in R.C.No.13 of 2022 in OA.No.51 of 2013 on the file of the Debts Recovery Tribunal, Madurai.

2. The learned counsel for the petitioner referred the order of the Debts Recovery Tribunal, Madurai in O.A.No.51 of 2013 dated 18.07.2023, which reveals that the Bank will not take any coercive steps.



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2. It is brought to our notice that the miscellaneous application filed in M.A.No.131 of 2023 is now pending and reserved for orders. The matter is posted for passing orders on 12.01.2024. Therefore, the respondent Bank shall not take any coercive steps till such time, the miscellaneous application is disposed of by the Debts Recovery Tribunal. It is needless to state that the writ petitioner is bound to co-operate for disposal of the proceedings before the Debts Recovery Tribunal, Madurai.

3. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S.,J.) (V.L.N.,J.)
15.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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and
V.LAKSHMINARAYANAN,J.

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