



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR  
AND  
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P. (MD) No.25710 of 2022  
and  
W.M.P. (MD) No.19821 of 2022

T.S.Srini

... Petitioner

-Vs-

Sundaram Finance Limited,  
Sundaram Towers 4<sup>th</sup> Floor,  
No.46, White's Road, Royapettah,  
Chennai-600014.

... 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 sale notice dated 14.10.2022 issued by the respondent and quash the same.

For Petitioner : Mr.R.Sharath  
For Respondent : Mr.M.E.Ilango

**ORDER**

**[Order of the Court was made by D.KRISHNAKUMAR, J.]**

The sale notice issued by the respondent dated 14.10.2022, fixing the date for sale on 29.11.2022, is under challenge in this Writ Petition.

2.The learned counsel for the respondent submitted that when the matter was taken up for hearing on 11.11.2022, this Court has granted an order of interim stay. Therefore, the sale proceedings could not be taken place.

(\*)3.The learned counsel for the petitioner seeks some indulgence of this Court that the petitioner is ready to settle the entire amount to the respondent by claiming insurance amount of his father. The learned counsel appearing for the respondent Bank has agreed that if any document is available and the same is required by the petitioner, the said document will be supplied to the petitioner, if he approaches the respondent Bank.



4. In view of the aforesaid submissions, we are of the view that since the sale proceedings could not be taken place, the prayer sought for in this Writ Petition, challenging the sale notice has become infructuous. Accordingly, this Writ Petition stands dismissed as infructuous, however, with liberty to the petitioner to settle the amount to the respondent Bank, after receiving the insurance amount of his father. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

**(\*) Modified as per the order of this Court dated 02.01.2023 in W.P. (MD) No.25710 of 2022**

Sd/-

Assistant Registrar (RTI)

// True Copy //

/01/2023

Sub Assistant Registrar (CS)

MYR

**(\*) To be substituted to the order already despatched on 20.01.2023**

+1 CC to M/s.M.E.ILANGO, Advocate ( SR-95[F] dated 03/01/2023 )

**W.P. (MD) No.25710 of 2022**

**02.01.2023**

MGJ(12.01.2023) 2P 2C

RD(13.02.2023 ) 2P 2C