



W.P.(MD)No.26587 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.26587 of 2023
and W.M.P.(MD) No.22878 of 2023

A.Joseph Manickam

... Petitioner

Vs.

The Branch Manager,
The South Indian Bank,
Karaikudi Branch, Sona Building,
2nd Street (Main),
N 14, Subramaniapuram,
Karaikudi, Sivagangai District – 630 002.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to Tender Cum Auction Sale Notice issued by respondent dated 18.10.2023, sale likely to commence on 08.11.2023 at 2.30 in the office of respondent and quash the same and consequently direct the respondent to remove the seal from petitioner house by implementing the order dated 27.06.2023 passed in W.P.(MD) No.15308 of 2023.



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For Petitioner : Mr.I.Arockia Selvaraj
For Respondent : Mr.T.Thevan
Standing Counsel

ORDER

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

The Writ Petition challenges the Tender Cum Auction Sale Notice issued by respondent dated 18.10.2023 and sought for a consequential direction to the respondent to remove the seal from petitioner's house by implementing the order dated 27.06.2023, passed in W.P.(MD) No.15308 of 2023.

2. Learned counsel for the petitioner made a submission that the possession and the key was handed over to the petitioner by the respondent bank as per the order of this Court dated 27.06.2023, passed in W.P.(MD) No.15308 of 2023.

3. The possession and key was handed over by the bank pursuant to the order passed by this Court on 27.06.2023. As per the order of this Court, the petitioner has complied with the first part and now the petitioner is bound to pay five equated monthly instalments commencing from December, 2023. The said monthly instalments are directed to be punctually paid by the petitioner without



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any default and in the event of default, the respondent is at liberty to take re-possession of the property as directed by this Court by order dated 27.06.2023, passed in W.P.(MD) No.15308 of 2023. No extension of time for payment of instalment will be granted to the petitioner.

4. Accordingly, the Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

(S.M.S., J.) & (V.L.N., J.)
08.11.2023

NCC : Yes / No
Index : Yes / No

SJ



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AND

V.LAKSHMINARAYANAN, J.

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