



WEB COPY



W.P.No.16

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2024

CORAM:

THE HON'BLE MR.D.KRISHNAKUMAR
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.16795 of 2024

1. M/s.Gelind Tech Consultants,
Rep. by its Managing Director,
Mr.K.Karuppiah

2. Mr.K.Karuppiah

3. Mrs.Maliga

... Petitioner

-VS-

1. Reserve Bank of India,
Fort Glacis, 16, Rajaji Road,
Fort St.George, Chennai-600 001.

2. City Union Bank Limited
Credit Recovery and Management Department,
“Narayana”, Administrative Office,
No.24-B, Gandhi Nagar,
Kumbakonam-612 001.

3. City Union Bank Ltd.,
Medical College Road,
Thanjavur-613 007.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the re-tender-cum-auction sale Notice in C.O./REC/NPA / 2024-25 dated 03.06.2024 issued by the 2nd respondent and quash the same as illegal, irregular and without jurisdiction and further direct the 2nd and 3rd respondents to return the title deeds for the property situated at Old S.No.312/2, New



W.P.No.16

S.No.312/2A1A, New Sub Division T.S.No.32, Indira Nagar, Plot No.3, Nilagiri
Therukku Thottam Village, Thanjavur Taluk & District.

WEB COPY

For Petitioner : Mr.K.Karuppiah, Party-in-Person

For R1 : Mr.C.Mohan, Senior Counsel
For M/s.Kind & Patridge

For R2 and R3 : Mrs.Ananda Gomathy

ORDER

(By Hon'ble Acting Chief Justice)

This Writ Petition has been filed, seeking to quash the re-tender-cum-auction sale Notice in C.O./REC/NPA / 2024-25 dated 03.06.2024 issued by the 2nd respondent. The petitioners also sought for a direction to the respondents 2 and 3 to return the title deeds for the property situated at Old S.No.312/2, New S.No.312/2A1A, New Sub Division T.S.No.32, Indira Nagar, Plot No.3, Nilagiri Therukku Thottam Village, Thanjavur Taluk & District.

2. When the matter is taken up for hearing, it is represented by the learned counsel for the respondent Bank / R2 & R3 that the petitioners have challenged the re-tender-cum-auction sale Notice dated 03.06.2024 by raising several grounds in the Writ Petition. According to the Bank, there is no such auction taken place and therefore, nothing survives for further adjudication in this matter.

3. In view of the above submission, ***this Writ Petition is dismissed.*** If still



W.P.No.16

aggrieved, it is open to the petitioners to submit a representation to the respondent Bank by giving necessary particulars and details. If any such representation is made, the respondent Bank shall consider the same and pass appropriate orders thereon at the earliest, but not later than four weeks from the date of receipt of representation. The decision to be taken shall forthwith be intimated to the petitioners thereafter. No costs.

[D.K.K.,ACJ.]

[M.J.R,J.]

26.09.2024

Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order

ar

HON'BLE ACTING CHIEF JUSTICE,



WEB COPY



W.P.No.16

AND
M.JOTHIRAMAN,J.,
ar

W.P.No.16795 of 2024

26.09.2024