



W.P(MD)No.16502 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16502 of 2024

N.Johnsi Rani Lakshmi Bai

... Petitioner

Vs.

The Authorised Officer,
State Bank of India,
Stressed Assets Recovery Branch,
No.8, Dr.Ambedkar Road,
Vinayaga Nagar Branch 1st Floor,
Madurai 625 020.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent herein to receive the entire Reserve price Rs.13,53,000 /- with GST from the petitioner fixed in respect of movable properties namely Pet Machineries belongs to the defaulting borrower Shri R.Sivanarrayanan, the unit situated in 198/1 Pallampalli Near By Pass Road, Unjampatti, Theni as per the description of properties mentioned in E-Auction Sale Notice dated 06.02.2024 issued by the respondent herein and give the movable machineries to the petitioner on the basis of her representation made before him by RPAD dated 09.07.2024.

For Petitioner : Mr.P.Venkatesan

For Respondent : Mr.N.Dilipkumar



W.P(MD)No.16502 of 2024

ORDER

WEB COPY

Heard both sides.

2.The petitioner remitted EMD amount with an intention to take part in the e-auction sale conducted by the respondent on 29.02.2024. Though the petitioner had remitted EMD, she failed to make her bid. For want of bidders, the auction process was cancelled. Subsequently, two more auctions were held but both did not elicit any response. On the fourth occasion, there was a bidder for a sum of Rs.13,78,000/-. The bid was confirmed in favour of the bidder namely, Palanisamy Dhandapani. It is further stated that the entire bid amount had been received and the machinery has also been sold. In these circumstances, no relief can be granted in favour of the writ petitioner. The writ petitioner did not take part in the fourth auction. She did not take part in the first auction. I do not find any equity in favour of the petitioner.

3.The writ petition is dismissed accordingly. No costs.

23.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias



WEB COPY



W.P(MD)No.16502 of 2024



WEB COPY



W.P(MD)No.16502 of 2024

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.16502 of 2024

23.07.2024