



WEB COPY

W.P.(MD)No.24988 of 2024



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD)No.24988 of 2024
and
W.M.P.(MD)Nos.21298 and 21300 of 2024**

R.Kumar

... Petitioner

-VS-

1.The Authorized Officer,
Canara Bank,
Bodinayakkanur Branch,
Kamaraj Bazar,
Theni-625 513.

2.The Branch Manager,
Canara Bank,
Bodinayakkanur Branch,
Kamaraj Bazar,
Theni-625 513.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the entire records relating to the issuance of impugned auction sale notice dated 01.10.2024 issued by the 1st respondent and quash the same as illegal and to direct the respondents 1 and 2 to give sufficient time for the petitioners to settle the dues.

For Petitioner : Mr.K.Rajeshwaran



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ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

The prayer in the writ petition reads as follows:

“To issue a Writ of Certiorarified Mandamus, to call for the entire records relating to the issuance of impugned auction sale notice dated 01.10.2024 issued by the 1st respondent and quash the same as illegal and to direct the respondents 1 and 2 to give sufficient time for the petitioners to settle the dues.”

2. The sale notice issued under Section 13(4) of SARFAESI Act, 2002, is under challenge.

3. Heard the learned counsel for the petitioner. The learned counsel for the petitioner is unable to make a ground which would entitle us to interfere *dehors* the existence of an alternative remedy.

4. Hence, the writ petition is dismissed, reserving the liberty to the petitioner to move the Debt Recovery Tribunal concerned. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M., J.] [L.V.G., J.]

19.10.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
Sml



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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

Sml

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