



**W.P.(MD) No.27417 of 2022**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 03.01.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR**

**and**

**THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD)No.27417 of 2022**  
**and W.M.P.(MD)Nos.21518 of 2022**  
**and 707 and 708 of 2023**

1.Mr.Mohammed Iqbal

2.Mr.M.Asif Imran

... Petitioners

**Vs.**

1.The Authorised Officer,  
Canara Bank, ARM Branch,  
St. Mary's Campus,  
Circle Office, 1<sup>st</sup> Floor,  
East Veli Street, Madurai – 01.

2.Mr.J.Azarrudin

... Respondents

**PRAYER :** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned Auction

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sale notice of the 1<sup>st</sup> respondent dated 12.10.2022 and the consequential auction sale held on 31.10.2022 in favour of the 2<sup>nd</sup> respondent and quash the same.

For Petitioners : Mr.S.Suresh

For Respondents : Mr.R.Pandivel for R1

### **ORDER**

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

Challenging the impugned Auction sale notice dated 12.10.2022 issued by the first respondent and the consequential auction sale held on 31.10.2022 in favour of the 2<sup>nd</sup> respondent, the petitioners have filed this Writ Petition.

2. When the matter was taken up for hearing, the learned Standing Counsel appearing for the first respondent – Bank submitted that the petitioners have not complied with the conditional order dated 02.12.2022 passed by this Court.



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3. However, the learned counsel for the petitioners submitted that the petitioners may be granted liberty to work out their remedy before the Debts Recovery Tribunal.

4. In view of the above submissions, this Writ Petition is disposed of granting liberty to the petitioners to work out their remedy before the Debts Recovery Tribunal. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

**[D.K.K., J.]                      [R.V., J.]**

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Neutral Citation: Yes / No  
Index : Yes / No

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