



WEB COPY



W.P.No.33247 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2025

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.33247 of 2019
and WMP Nos.33708 & 33709 of 2019
and WMP No.25109 of 2024

E.Kumar

.. Petitioner

vs

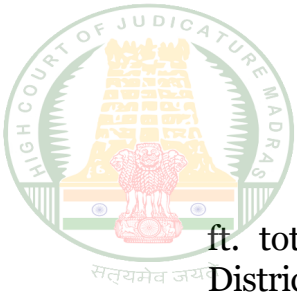
1.The Authorised Officer,
Kotak Mahindra Bank Limited,
No.3, Das India Limited,
Chennai-1.

2.The Registrar,
Debts Recovery Tribunal,
Chennai-600 002.

3.The Registrar,
Debts Recovery Appellate Tribunal,
Chennai-600 006.

.. Respondents

Prayer : Petition under Article 226 of the Constitution of India seeking issuance of a writ of Certiorarified Mandamus, calling for the records of the respondent No.1 pertaining to the auction notice dated 15.11.2019 which carried the endorsement as "sold" and quash the same and also forbear the respondents from taking further proceedings in pursuance of the sale of the property at Plot No.1 and Plot No.2 measuring about 3258 sq. ft. + 3217 sq.



W.P.No.33247 of 2019

ft. totally 6475 sq. ft, Puthagaram Village, Ambattur Taluk, Thiruvallur District, comprised in Survey No.48/2 pending disposal of the appeal in AIR No.611/2018 before the Debts Recovery Appellate Tribunal and pass orders.

For Petitioner : Mr.V.Venkatesan

For Respondents : Mr.R.Imayavaramban
for M/s. Ramalingam Associates
for R1

R2 and R3- Tribunal

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Counsel for the bank states that the mortgaged property is yet to be sold, and since the last auction notice that is impugned in the petition is dated 15.11.2019, certainly a fresh notice will have to be issued.

2. Counsel also states that if petitioner wants to redeem the mortgage, he is welcome to contact the bank.



W.P.No.33247 of 2019

3. In view of the statement made by Mr.Imayavaramban that fresh notice will be issued as and when the property is to be auctioned, we see no reason to keep this petition alive.

4. Petition is disposed of. There shall be no order as to costs. Consequently, interim applications also stand closed.

(K.R.SHRIRAM, C.J.)

(MOHAMMED SHAFFIQ.J.)

21.03.2025

Index : Yes/No
NC : Yes/No
mrn

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THE HON'BLE CHIEF JUSTICE
AND
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(mrn)

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