



W.P.(MD) No.8812 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.04.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.8812 of 2025

and

W.M.P.(MD)Nos.6591, 6595 and 6598 of 2025

A.T.Lakshmanan

... Petitioner

-Vs-

1.The Authorized Officer,
Punjab National Bank,
Circle Sastra Centre,
448-A, Dr.Nanjappa Road,
Coimbatore-641 018.

2.M/s.Spice Traders,
No.104/2, 2nd Floor,
Ganesh Apartment, Kangasri Nagar,
Cathedral Road, Gopalapuram,
Chennai-600 086.

3.Saravanan Palaniappan

4.V.Preetha

5.Megala Palaniappan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned

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sale notice dated 29.01.2025 issued by the 1st respondent and quash the same as illegal and consequently, forbear the 1st respondent from taking further proceedings in pursuant to the sale notice dated 29.01.2025 in respect of the petitioner's property situated in Survey No.249/1, measuring about 0.19.00 ares (47 cents), Kallal Panchayat and Union, Karaikudi Taluk, Sivagangai District.

For Petitioner : Mr.T.Veerakumar

For R1 : Mr.V.Balasubramanian,
Standing Counsel

ORDER

[Order of the Court was made by *S.SRIMATHY, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.Challenging the sale notice dated 29.01.2025 issued by the 1st respondent, the petitioner has filed this Writ Petition with a consequential direction to forbear the 1st respondent from taking further proceedings pursuant to the sale notice dated 29.01.2025 in respect of the petitioner's property situated in Survey No.249/1, measuring about 0.19.00 ares (47 cents), Kallal Panchayat and Union, Karaikudi Taluk, Sivagangai District.



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3. According to the instructions given by the learned Standing Counsel for the 1st respondent, even though the sale notice was issued, sale was not conducted for want of bidders. Therefore, sale notice is automatically lapsed. Hence, nothing survives for further adjudication in this Writ Petition.

4. The contention of the petitioner is that now only, he came to know about the mortgage executed by the 3rd respondent in favour of the 1st respondent and also the sale of his property by one Kula.Karuppiyah in favour of the 2nd respondent. Hence, he seeks liberty to adjudicate the same. Therefore, the petitioner is at liberty to implead the bank in the pending suit in O.S.No.124 of 2019 filed by the petitioner and obtain interim orders, if so advised.

5. With this observation, this Writ Petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

[J.N.B., J.] & [S.S.Y., J.]
01.04.2025

NCC : Yes / No
Index : Yes / No
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