



WP No. 13294 of 2026

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2026

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

**WP No. 13294 of 2026 AND
WMP Nos. 14547 and 14546 OF 2026**

1. M/s. AVS Constructions
Represented by Partner Mr. K. Vishwanathan,
No. 29, Second Floor,
Balaji Nagar, Fairlands,
Salem 636 004.
2. Mr. K. Vishwanathan
Managing Partner of M/s. AVS Constructions,
S/o. N. Krishnan, No. 2/252, Agravalathar
Thottam, Muthukalipatti Village, Rasipuram
Tk, Namakkal Dt-637 408
3. Mr. N. Krishnan,
Partner of M/s. AVS Constructions,
S/o. Nallagounder,
No. 2/252, AgravalatharThottam,
Muthukalipatti Village, Rasipuram Tk,
Namakkal Dt-637 408

..Petitioners

Vs

DBS Bank India
CBG Collection and Recovery, Hub Office,
No. 533, 1st Floor, Vengamedu, Karur 639 006.

..Respondent

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records pertaining to the



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E Auction Sale Notice for sale of immovable property dated 27.02.2026 by fixing Sale on 08.04.2026 issued by the respondent/ bank under Rule 8 (6) of Security Interest (Enforcement) Rules, 2002 and quash the same as illegal and arbitrary.

For Petitioners : Mr.S.Mohanraj

ORDER

(Order of the Court was made by R.Suresh Kumar J.)

Learned counsel for the petitioner seeks permission to withdraw this writ petition with liberty to approach the Debts Recovery Tribunal to challenge the impugned order on the ground that the property which is sought to be brought for auction sale is an agricultural property. In order to agitate the said issue, the petitioner wishes to go before the Debts Recovery Tribunal and therefore wants to withdraw the writ petition.

2. Recording the said submission, this writ petition is dismissed as withdrawn with the aforesaid liberty, provided the petitioner files such petition within a period of two weeks from today. Till such period, the impugned notice shall be kept in abeyance. Beyond the two weeks period if the petitioner does not approach the Debts Recovery Tribunal with proper petition, it is open to the secured creditor to act in accordance with law.



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3. With the above liberty, the writ petition is dismissed as withdrawn.

No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K.,J.) (N.S.,J.)
07-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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