



W.P(MD)No.7709 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.P(MD)No.7709 of 2026
and
W.M.P(MD)Nos.6288 & 6289 of 2029**

S.Indra,
W/o.Late.K.Sundararaj,
No.1/1-1A/10, Srinivasa Nagar, Ganesapuram,
Nilakkottai,
Dindigul District.

... Petitioner

VS.

1.The Branch Manager,
Canara Bank,
Pallappatti Branch, Pallapatti,
Nilakkottai Taluk,
Dindigul District.

2.The Authorized Officer,
Canara Bank, Dindigul Zonal Office,
Nagal Nagar, Dindigul.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records pertaining to the E-Auction Notice dated 03.03.2026, published in Dhina Thanthi Tamil News Daily under the provisions and rules of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 issued by the respondents bank in respect of the petitioner's house property mentioned therein and to quash the same.

For Petitioner : Mr.R.R.Thamothar Raj

For Respondents : Mr.V.Balasubramanian
Standing Counsel

ORDER

(Order of the Court was made by N.SATHISH KUMAR, J.)

Challenging the e-auction notice dated 03.03.2026, published in “Dhina Thanthi” Tamil Daily under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, issued by the respondent Bank in respect of the petitioner’s house property mentioned therein, the petitioner has filed the present Writ Petition.



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2.It is the case of the petitioner that her husband, late K. Sundararaj, had purchased a house site in the year 2005 in Survey No. 156/1C, Nilakottai Village, Dindigul District, and constructed a three-storeyed building thereon. He had availed a housing loan of Rs. 4,50,000/- from the respondent Bank in the year 2006, repayable over a period of 120 months, and had made part repayments, including a sum of Rs. 2,50,000/- in the year 2013. The petitioner's husband passed away on 14.06.2021, leaving behind the petitioner and their two sons as legal heirs.

3.The petitioner submits that, upon being informed in October 2025 about the outstanding dues, she sought details of the loan account from the respondent Bank by submitting a representation along with the death certificate and legal heir certificate. However, no such details were furnished. Subsequently, the respondents issued an e-auction notice dated 03.03.2026 proposing to auction the property on 17.03.2026, which came to the petitioner's knowledge only on 11.03.2026.



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4.The petitioner contends that the impugned e-auction proceedings were initiated without issuing notice to the legal heirs of the deceased borrower and were conducted against a dead person, thereby violating the mandatory legal procedures. Hence, the petitioner has challenged the said e-auction notice as being illegal, void, and non est in law.

5.The learned counsel appearing for the respondent Bank submitted that the e-auction notice dated 03.03.2026 has since been withdrawn and that the Bank would follow the due procedure in accordance with law by issuing notice to the legal heirs.

6.Recording the aforesaid submission, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

[N.S.K.,J.] [M.J.R.,J.]
23.03.2026

NCC : Yes / No
Index : Yes / No



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and
M.JOTHIRAMAN, J.

ps

ORDER MADE IN
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