

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.05.2015

CORAM

THE HONOURABLE DR.JUSTICE S.TAMILVANAN
AND
THE HONOURABLE MR.JUSTICE S.MANIKUMAR

W.P.No.14110 of 2015
& M.P.Nos.1 & 2 of 2015

C.Vadivel

.. Petitioner

Vs.

1.The Chairman and Managing Director,
Indian Bank,
Head Office,
Avvai Shanmugam Salai,
Chennai-14.

2.Authorised Officer,
(Chief Manager of Indian Bank),
Indian Bank,
Zonal Office,
Vellore Main Road,
Tiruvannamalai-606 601
Tiruvannamalai District.

3.The Recovery Officer,
Indian Bank,
Vembakkam-604 410
Cheyyar Taluk,
Tiruvannamalai District.

4.The Branch Manager,
Indian Bank,
Vembakkam-604 410,
Cheyyar Taluk,
Tiruvannamalai District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus calling for the entire records relating to the impugned auction sale notice dated 8.4.2015 issued by the second respondent herein in respect of the landed property situate in Seleri Village, Cheyyar Taluk, Tiruvannamalai District in survey Numbers in S.F.No.6/4C and 6/4E (New S.F.No.6/4C2 and 6/4E2) being the vacant site measuring east X west 26 ft; north X south 121.25 ft, having total measurement of 4365 sq. ft. and having total measurement of 4365 sq.ft. + 290 =

4655 sq.ft. and quash the same and directing the second respondent herein to consider the petitioner's representation dated 25.03.2015 regarding one time settlement of the loan amount with waiver of interest.

For Petitioner : Mr.S.Arun Kumar

O R D E R

(Order of the Court was made by S.Tamilvanan, J.)

The writ petition has been filed by the petitioner directing the second respondent herein to consider the petitioner's representation dated 25.03.2015 regarding one time settlement of the loan amount with waiver of interest.

2.It is seen that the impugned order was passed by the Indian Bank under Section 13(2) of SARFAESI Act.

3.Having gone through the grounds raised, we are of the view that there is no ground to entertain this petition and the petitioner could have approached the Debt Recovery Tribunal seeking remedy.

4.On the aforesaid circumstances, we find it just and reasonable to dismiss the petition.

5.Accordingly, this writ petition is dismissed. It is open to the petitioner to approach the appropriate forum, seeking remedy, according to law. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vga/kal

To

1.The Chairman and Managing Director,
Indian Bank,
Head Office,
Avvai Shanmugam Salai,
Chennai-14.

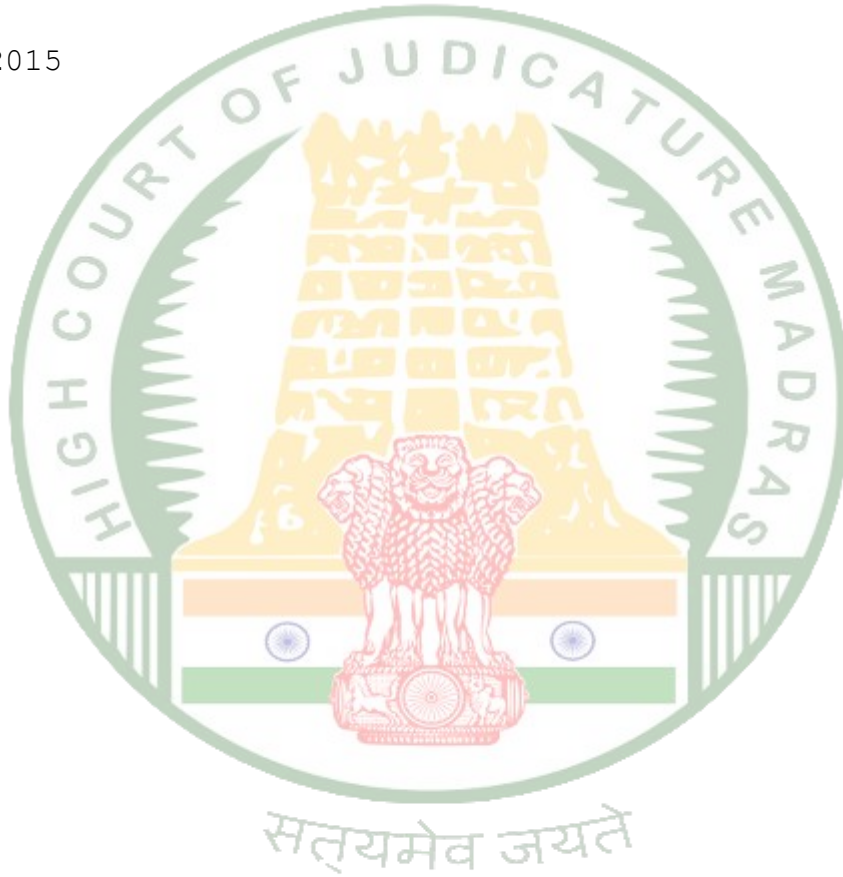
2.Authorised Officer,
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