



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2015

CORAM:

THE HONOURABLE DR.JUSTICE S.TAMILVANAN

and

THE HONOURABLE MR.JUSTICE V.S.RAVI

W.P(MD)No.4580 of 2015

Central Bank of India,
represented by its Authorized Officer,
Puliyoorsalai Branch,
Kanyakumari District.

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Kanyakumari.

2.S.Venugopalakrishnan

3.Mayavenugopalakrishnan

4.T.Maharaja Pillai

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 1st respondent to pass an order on the petition given by this petitioner dated 15.7.2014 under section 14 of securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 in Roc C4/22265/2014 after making proper enquiry within stipulated time on the basis of the representation made by the petitioner dated 27.2.2015.

For Petitioner : Mr.B.Rajesh Saravanan
For 1st Respondent : Mr.A.K.Baskarapandian,
Special Government Pleader.

ORDER

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

This writ petition has been filed invoking Article 226 of the Constitution of India seeking an order in the nature of writ of mandamus directing the first respondent to pass an order on the petition given by this petitioner dated 15.7.2014 under Section 14 of the SARFAESI Act, 2002 and after making proper enquiry within stipulated time on the basis of the representation made by the petitioner dated 27.2.2015.

2.It is well settled that when there is efficacious alternative remedy available before the Debts Recovery Tribunal or Debts Recovery Appellate Tribunal, without availing such remedy, the petitioner cannot directly approach this Court.

3.On the facts and circumstances, we are of the view that the writ petition is not legally maintainable. Accordingly, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/



To

The District Collector,
Kanyakumari District,
Kanyakumari.

WEB COPY

+1cc to MR.B.Rajesh Saravanan, Advocate in SR.No. 16077

sm:13.04.2015:2P/3C

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