

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 09.08.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE NOOTY.RAMAMOHANA RAO**AND****THE HONOURABLE MR.JUSTICE S.S.SUNDAR****W.P(MD)No.23440 of 2015****and****M.P(MD)No.1 of 2015**

M/s.Rocksphere Granites,
represented by its
Partner,
No.269, Sankarankovil Road,
Rajapalayam,
Virudhunagar District.

... Petitioner

Vs.

1.The Deputy Regional Manager,
Bank of Baroda,
Regional Office,
Madurai.

2.The Chief Manager (DRM) /
Authorized Officer,
Bank of Baroda,
Rajapalayam Branch,
Tenkasi Road,
Rajapalayam,
Virudhunagar District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records pertaining to the impugned possession notice dated 15.12.2015 issued by the second respondent under Section 13(4) of the SARFAESI Act and quash the same.

For Petitioner : Mr.T.Bashyam

For Respondents : Mr.Pala.Ramasamy

ORDER

<https://hcservices.ecourts.gov.in/hcservices/>

(Order of the Court was made by NOOTY.RAMAMOHANA RAO, J.)



With the consent of both the parties, we have taken up this writ petition for final disposal inasmuch as the case is otherwise capable of being disposed of.

2. The learned Counsel on both sides have brought to our notice the fact that the Division Bench of this Court on 05.02.2016 entertaining a similar dispute raised in **M/s. The Charnockite Product, represented by its Proprietor, No.269, Sankarankovil Raod, Rajapalayam, Virudhunagar District v. The Deputy Regional Manager, Bank of Baroda, Regional Office, Madurai** [W.P(MD)No.23441 of 2015], has dismissed the said writ petition, making certain observations therein.

3. Let there be a similar order passed even in this writ petition also. Accordingly, the writ petition stands dismissed subject to the same observations as therein found in **M/s. The Charnockite Product, represented by its Proprietor, No.269, Sankarankovil Raod, Rajapalayam, Virudhunagar District v. The Deputy Regional Manager, Bank of Baroda, Regional Office, Madurai** [W.P(MD)No.23441 of 2015, decided on 05.02.2016]. No costs. Consequently, the connected miscellaneous petition is dismissed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To,

1.The Deputy Regional Manager, Bank of Baroda,
Regional Office, Madurai.

2.The Chief Manager (DRM)/ Authorized Officer,
Bank of Baroda, Rajapalayam Branch,
Tenkasi Road, Rajapalayam,
Virudhunagar District.

3 The Section Officer, E.R.Section,
Madurai Bench of Madras High court, Madurai.

GJM/DB/24.8.16-2p-4c

W.P (MD) No.23440 of 2015

and

M.P (MD) No.1 of 2015

09.08.2016