THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

Writ Petition No.40465 of 2015

ORDER: (per Hon'ble Sri Justice Ramesh Ranganathan)

The proceedings under challenge in this writ petition is possession notice dated 13.11.2015 issued under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short "the SARFAESI Act") against which the petitioner has a statutory remedy of appeal under Section 17 of the SARFAESI Act. Without exhausting the said remedy, the petitioner has invoked the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India.

As the petitioner has an effective alternative remedy of a statutory appeal under Section 17 of the SARFAESI Act, we see no reason to exercise discretion to entertain the writ petition.

Leaving it open to the petitioner to avail the statutory remedy of appeal, the writ petition is dismissed. The miscellaneous petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

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RAMESH RANGANATHAN, J

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M. SATYANARAYANA MURTHY, J

Date: 25.01.2016

JSU

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

Writ Petition No.40465 of 2015

Date: 25.01.2016

JSU