

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.4.2017

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.8022 of 2017
and

W.M.P.Nos.8773 and 8774 of 2017

- 1 M/s.Radha Traders
No.43 Nethaji Road Hosur
Krishnagiri District Tamil Nadu- 635 109
- 2 Mr.K.R.Radhakrishnan
3 Mr.K.R.Yokesh
4 Mr.K.R.Rajesh ..Petitioners

Versus

M/s.State Bank of Travancore
Rep by Authorized Officer and &
Chief Manager Hosur Branch
Denkanikottai Road Hosur- 635 109 ..Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari to call for the records in connection with the e-auction dated 28.02.2017 by the respondent in connection with the schedule property in favour of the third parties not known to the petitioner as illegal and improper.

For petitioners : Mr.Kingston Jerold
For respondent : Mr.P.D.Audikesavalu

ORDER

(Order of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the petitioners and Mr.P.D.Audikesavalu, learned counsel appearing for the respondent-Bank.

2. The writ petition has been filed seeking issuance of a writ of certiorari to call for the records in connection with the e-auction dated 28.02.2017 by the respondent in connection

with the schedule property in favour of the third parties not known to the petitioner as illegal and improper.

3. It appears that the petitioners before this court challenging the rejection of their application under section 17 (1) of the SARFAESI Act before the Debts Recovery Tribunal. As against such order of rejection, the petitioners have an efficacious remedy to approach the Debts Recovery Appellate Tribunal or the Debts Recovery Tribunal itself as the case may be clarifying the position. The petitioners are at liberty to raise all their grounds before such forum. The writ petition is disposed of accordingly. No costs. The connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssk.

To

M/s.State Bank of Travancore
Rep by Authorized Officer and &
Chief Manager
Hosur Branch Denkanikottai Road
Hosur- 635 109

+lcc to Mr.S.Kingston Jerold, Advocate, S.R.No.23358
+lcc to Mr.P.D.Aadikesavalu, Advocate, S.R.No.23161

EV(CO)
RS(05/05/2017)

W.P.No.8022 of 2017

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