

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.04.2017

CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P. No.8129 of 2017

V.Imayavarman

... Petitioner

Vs

1. The Pondicherry State
Co-op. Bank Limited
Post Box No.34, No.204, East Coast Road,
Olandaikeerapalayam
Mudaliarpur Post, Puducherry 605 004.

2. The Manager (SARFAESI Act)
Pondicherry State
Co-op. Bank Limited
Post Box No.34,
No.204, East Coast Road,
Olandaikeerapalayam
Mudaliarpur Post, Puducherry 605 004.

3. The Sales Officer,
The Pondicherry State
Co-op. Bank Limited,
Embalam Branch,
No.119, Villianur Main Road,
Embalam Post, Wettaipakkam (Via),
Puducherry 605 106.

4. The Authorised Officer,
The Pondicherry State
Co-op. Bank Limited
Post Box No.34,
No.204, East Coast Road,
Olandaikeerapalayam
Mudaliarpur Post,
Puducherry 605 004.

.... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorari calling for the entire records in pursuant to the attachment notice dated Nil issued by the third respondent to the petitioner and quash the same.

For Petitioner : Mr.T.P.Prabakaran

For Respondents: Mr.A.Tamilvanan,
Additional Government Pleader (Pondy)

ORDER

The prayer in the writ petition is to issue a writ of Certiorari calling for the entire records pursuant to the attachment notice dated Nil issued by the third respondent to the petitioner and quash the same.

2. According to the petitioner, the impugned attachment notice was issued by the third respondent without mentioning any date or subject in the reference and the third respondent has passed a stereo type notice in a mechanical way. Therefore the impugned order is liable to be quashed.

3. Mr.A.Tamilvanan, learned Additional Government Pleader (Pondicherry) who takes notice for the respondents would submit that if at all the petitioner is aggrieved, he can approach the authority concerned to make his explanation.

4. On perusal of the attachment notice, it is seen that the sales officer has issued the impugned attachment notice without any date and subject. It is also seen that the said notice is in the printed form and the third respondent has filled up the said notice mechanically and passed stereotype order. Therefore I have no hesitation to quash the impugned attachment notice.

5. The writ petition is allowed with liberty to the respondents to proceed afresh in accordance with law. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

dpq

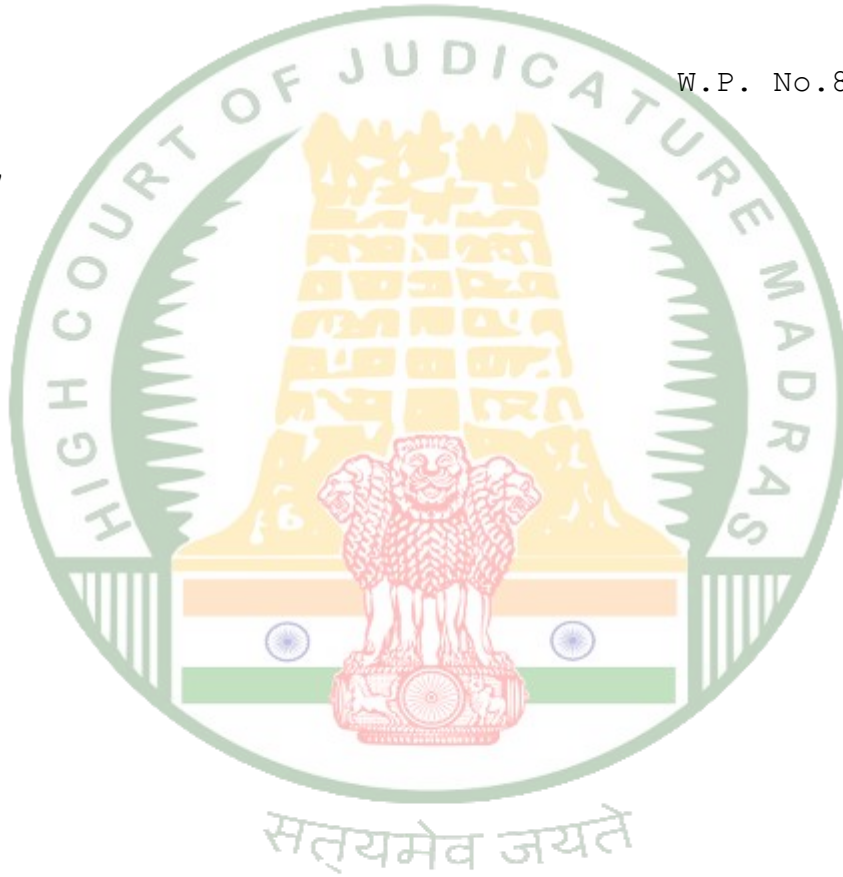
To

The Pondicherry State
Co-op. Bank Limited
Post Box No.34, No.204, East Coast Road,
Olandaikeerapalayam
Mudaliarpet Post,
Puducherry 605 004.

+ 1 cc to Mr.T.P. Prabakaran, Advocate Sr.21327

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GJ(CO)
Eu 2.05.17



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