

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16/2/2017

C O R A M

The Honourable Mr.Justice S.Manikumar
and
The Honourable Mr.Justice M.Govindaraj

Writ Petition No.3914 of 2017

G.S.Gandhimani

...

Petitioner

Vs

1. The District Collector
Erode District
Erode.

2. The Authorised Officer
Chief Manager (Recovery)
State Bank of Travancore
Regional Office
Region - IV
Avarampalayam Road
No.260 V.V.Complex
Coimbatore 641 044.

...

Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorari, to call for the records relating to the Tender-cum-Auction notice of the second respondent Bank No.Nil, dated 9/1/2017 and quash the same.

For petitioner

... Mr.G.Sankaran

For respondents

... Mr.TM.Pappaiah,

Special Government Pleader for R.1.

O R D E R

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

Hon'ble Supreme Court in the case of Union Bank of India, followed by this Court in the cases of Saraspathy Sundararaj and Precision Fastenings, held that the Tribunal is an effective and alternative forum. Therefore, we are not inclined to entertain the instant writ petition.

2. Points raised in the supporting affidavit, to the instant writ petition to the auction notice, dated 9/1/2017, of the Authorised Officer, State Bank of Travancore, Coimbatore/second respondent can be raised before the forum, under Section 17 (1) of the SARFAESI Act, 2002.

3. In view of the above, this writ petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

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Erode District
Erode.
2. The Authorised Officer
Chief Manager (Recovery)
State Bank of Travancore
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copy to

The Section Officer

Current Section High Court Madras

+1 cc to M/s.G.Sankaran Advocate sr 10198

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