

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2017

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.7869 of 2004

1.P.S.Muralikrishna
2.P.S.Ashok Kumar

... Petitioners

Vs.

1. Union of India
rep. by Secretary to Government
Ministry of Finance,
New Delhi - 110 001.

2. Punjab National Bank,
New Scheme Road,
Pollachi.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the second respondent comprised in its notices ref. no.236 & 237/2004 dated 31.01.2004 and quash the same as being without jurisdiction, arbitrary, unconstitutional and contrary to the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and consequently, direct the second respondent not to initiate any action or recovery proceedings under the provisions of the Securitisation And Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

For Petitioners

: Mr.R.Parthasarathy

For Respondents

: Mr.V.Jayaprakash Narayanan for R1
Special Government Pleader

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O R D E R

The writ petition is challenging the provisions of SARFAESI Act. The matter is squarely covered by the decision of the Hon'ble Supreme Court reported in (2004) 4 SCC 311 (Mardia Chemicals Limited and others Vs. Union of India and others), wherein, the Hon'ble Supreme Court upheld the provisions of SARFAESI Act. Hence, nothing survives in this writ petition for

adjudication and the same is dismissed. No costs.
Consequently, the connected miscellaneous petitions are also
closed.

Sd/-
Asst.Registrar (CO)

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Sub Asst. Registrar

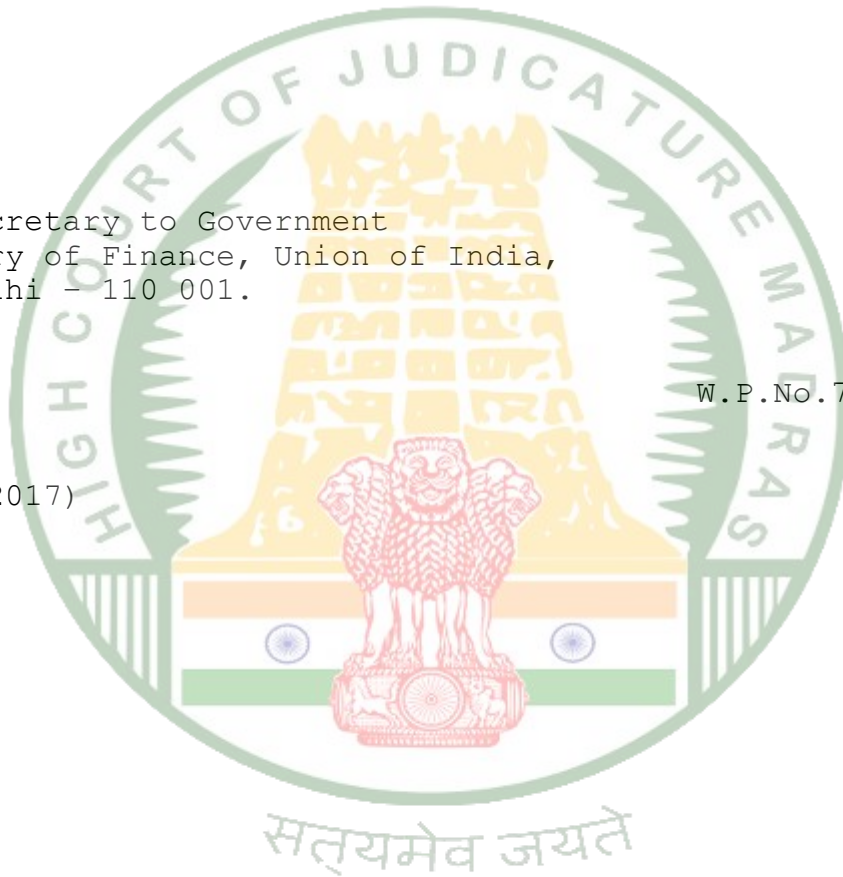
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To

1. The Secretary to Government
Ministry of Finance, Union of India,
New Delhi - 110 001.

W.P.No.7869 of 2004

PVS (CO)
VR(10/08/2017)



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