



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2017

CORAM

**THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR. JUSTICE P.VELMURUGAN**

**W.P. (MD) No. 9743 of 2017
and
W.M.P. (MD) No. 7476 of 2017**

R.Sivaramaganesh

:Petitioner

Vs.

1. The Branch Manager,
HDFC Bank Limited,
No.34, Sri Nithyakalyani Towers,
North Veli Street,
Madurai-625 001.
2. The Authorised Officer,
HDFC Bank Limited,
590, Db road, R.S.Puram,
Near to Savitha Hall,
Coimbatore-641 002.
3. The Manager,
HDFC Bank,
Vannarpettai Branch,
Trivandram Road,
Tirunelveli.
4. Karthikeya Kumar,
Manager,
HDFC Bank,
Vannarpettai Branch,
Trivandram Road,
Tirunelveli.

: Respondents

Prayer: This Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records relating to the proceedings of the second respondent in Ref No.6362790000026/SARFA ESI/10032017/K7082/3 dated 17.05.2017 and quash the same.

<https://hcservices.ecourts.gov.in/hcservices/>

For petitioner : Mr.R.Balakrishnan

**ORDER**

(Order of the Court was made by **T.S.SIVAGNANAM.J.**)

WEB COPY This petition has been filed challenging a notice issued under the provisions of Section 13(2) of the Securitization And Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI). The notice clearly states that the petitioner should hand over the secured assets to the respondent Bank at 11.00a.m., on 31.05.2017.

2. When the matter came up for admission before the vacation Court on 24.05.2017, the petitioner sought for adjournment and the case was adjourned after vacation. Today also the petitioner is not ready. Considering the fact that the impugned proceedings is a notice under Section 13(2) of the SARFAESI Act, a proper remedy for the petitioner is to avail alternative remedy under the provisions of the SARFAESI Act and the Writ Petition is not maintainable. Hence, this Writ Petition is closed, leaving open to the petitioner to work out the alternative remedy under the SARFAESI Act. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

Copy to

The Section Officer,
English Record,
Madurai Bench Of Madras High Court,
Madurai.

TSG/SSL

VB/RSK/SAR2/12.06.2017/2P/2C

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