

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

HON'BLE Dr.JUSTICE SHAMEEM AKTHER

WRIT PETITION No.12066 of 2017

ORDER: (Per Hon'ble The Acting Chief Justice Ramesh Ranganathan)

The petitioner questions the action of the respondents in issuing notice under Rule 8(1) of the Security Interest (Enforcement) Rules, 2002.

The petitioner has an effective remedy of approaching the Debts Recovery Tribunal under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short "the Act"). Instead of availing the statutory remedy available to her, the petitioner has invoked the jurisdiction of this Court under Article 226 of the Constitution of India. We see no reason, therefore, to entertain this writ petition.

Leaving it open to the petitioner to avail her statutory remedy of approaching the Debts Recovery Tribunal under the provisions of the Act, the Writ Petition is dismissed. No order as to costs.

As a sequel, miscellaneous petitions if any pending in the writ petition stand closed.

RAMESH RANGANATHAN, ACJ

Dr. SHAMEEM AKTHER, J

April 24, 2017
MRR

