

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-12-2018

CORAM

THE HON'BLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.30346 of 2005

And

W.P.M.P.No.33232 of 2005

N.Viswanathan

...Petitioner

Vs

1. The Recovery Officer,
Chennai Debts Recovery Tribunal-II,
Spencer Tower 4th Floor,
770-A, Anna Salai,
Chennai-600 002.

2. Allahabad Bank,
No.47, Armenian Street,
George Town Branch,
Chennai-600 001.

.... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records from the first respondent relating to the impugned notice dated 2.9.2005 in D.R.C.No.67/2002 and quash the same.

For Petitioner : Mr.T.Sai Krishnan for
Mr.D.Bharatha Chakravarthy

For Respondent-1 : Tribunal

For Respondent-2 : Dr.C.Ravichandran

O R D E R

The present writ petition is filed challenging the impugned notice dated 2.9.2005 issued in D.R.C. No.67/2002.

2. The impugned notice was issued under the provisions of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (hereinafter referred to as the 'Act'). Thus, the

remedy lies to the writ petitioner under the provisions of the very same Act.

3. In this view of the matter, the present writ petition cannot be entertained and accordingly, the writ petitioner is at liberty to redress his grievances in the manner known to law.

4. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Recovery Officer,
Chennai Debts Recovery Tribunal-II,
Spencer Tower 4th Floor,
770-A, Anna Salai,
Chennai-600 002.

+1cc to Dr.C.Ravichandran, Advocate, S.R.No.83978

WP No.30346 of 2005

CP(CO)
CS/07/01/2019

सत्यमेव जयते

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