

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2018

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.24865 of 2018

and W.M.P.Nos.28900 and 28901 of 2018

S.Karthik

.. Petitioner

Vs.

1.The General Manager (Rec & LM&R),
The Tamil Nadu Industrial Investment
Corporation Limited (TIIC),
No.692, Anna Salai, Nandanam,
Chennai-600 035.

2.The Regional Manager,
The Tamil Nadu Industrial Investment
Corporation Limited (TIIC),
No.692, Anna Salai, Nandanam,
Chennai-600 035.

3.The Authorised Officer,
The Tamil Nadu Industrial Investment
Corporation Limited (TIIC),
(A Government of Tamilnadu Undertaking)
No.1, Bharathi Road,
Arcot Woodland (Annex) IIIrd Floor,
Cuddalore - 607 001.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records relevant to the notice dated 18.7.2018 passed by the third respondent and quash the same as illegal, improper, unreasonable, arbitrary and against the principles of natural justice and thereby direct the respondent to furnish the true and correct statement of accounts to the petitioner and consider the petitioner representation dated 24.8.2018 for one time settlement.

For Petitioner

: Mr.B.Sundara Pandiyan

O R D E R
(Order of the Court made by M.DURAISWAMY, J.)

The petitioner has filed the above writ petition to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the notice dated 18.7.2018 issued by the third respondent and quash the same and to direct the respondent to furnish true and correct statement of accounts to the petitioner and also consider the representation dated 24.8.2018 for One Time Settlement.

2. The petitioner has filed the above writ petition challenging the notice issued under Section 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, 'SARFAESI Act').

3. It is settled position that notice issued under Section 13(2) of SARFAESI Act, cannot be challenged either before this Court or before the Debts Recovery Tribunal.

4. In these circumstances, we are not inclined to entertain the writ petition, as the same is premature. The writ petition is dismissed. No costs. Consequently, W.M.P.Nos.28900 and 28901 of 2018 are closed.

Sd/-
Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The General Manager (Rec & LM&R),
The Tamil Nadu Industrial Investment Corporation Limited
(TIIC),
No.692, Anna Salai, Nandanam,
Chennai-600 035.

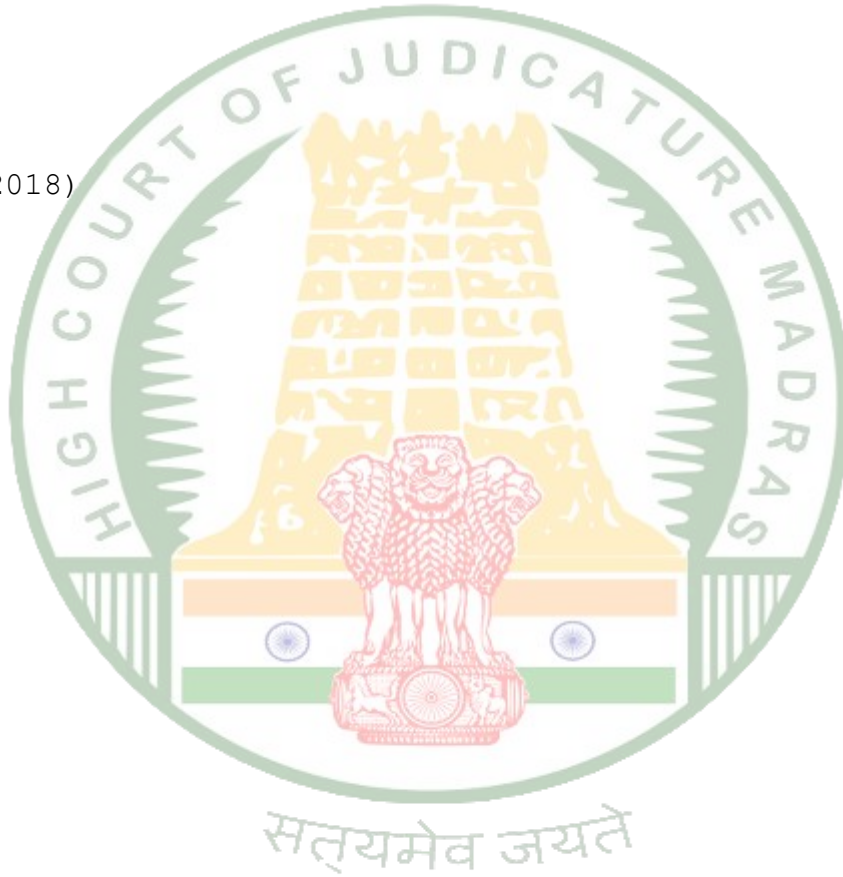
2.The Regional Manager,
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+1cc to Mr. B.Sundarapandiyar, Advocate, S.R.No. 65751

W.P.No.24865 of 2018

KS (CO)
GN(05/10/2018)



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