

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE Ms. JUSTICE J.UMA DEVI

Writ Petition No.11896 of 2018

Order: (per V.Ramasubramanian, J.)

The petitioner has come up with the above writ petition challenging a Possession Notice, dated 15-3-2018, issued under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 read with Rule 8 of the Security Interest (Enforcement) Rules, 2002.

2. Heard Mr. T.Koteswara Rao, learned counsel for the petitioner.

3. As against the measures initiated under Section 13(4) of the Act, the petitioner has an effective alternative remedy of appeal under Section 17 of the Act before the Debts Recovery Tribunal. There is no reason to bypass the said remedy. Even recently the Supreme Court has cautioned in ***State Bank of Travancore v. Mathew K.C.***¹ that this Court should be very slow in entertaining the writ petitions bypassing the alternative remedy. Therefore, leaving it open to the petitioner to approach the Tribunal, this writ petition is dismissed. The applications, if any, pending in this writ petition shall stand closed. No costs.

V.RAMASUBRAMANIAN, J.

J.UMA DEVI, J.

10th April, 2018. Ak

¹ (2018) 3 SCC 85

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AND
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Writ Petition No.11896 of 2018
(per VRS, J.)



10th April, 2018.
(Ak)