

*THE HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

*THE HON' BLE MS. JUSTICE J. UMA DEVI

+ WRIT PETITION No.12356 of 2018

%11.04.2018

Sri D.L.N.Shastry S/ o.D.V.Seshaiah
Gowripeta, Bethamcherla village & Mandal,
Kurnool

.. Petitioner

Vs.

\$ The Andhra Bank, Rep. by its Manager,
Bethamcherla Branch, Bethamcherla,
Kurnool and others

.. Respondents

! Counsel for petitioner : Mr.D.S.N.V. Prasad Babu

^ Counsel for respondents :

<GIST:

>HEAD NOTE:

? CASES REFERRED: ----



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WRIT PETITION No.12356 of 2018

ORDER: (Per V.Ramasubramanian, J)

Challenging the E-auction conducted by the Authorized officer of the Bank, one of the legal heirs of the deceased borrower has come up with the above writ petition.

2. Heard Mr.D.S.N.V.Prasad, learned counsel for the petitioner.

3. As against the impugned action, the petitioner has an effective alternative remedy of appeal before the Debts Recovery Tribunal under Section 17 of the Securitization Act. Authorized Officer, State Bank of Travancore vs. Mathew K.C. (Civil Appeal No.1281 of 2018), dated 30.01.2018, the Supreme Court has cautioned the High Courts about entertaining the writ petitions when the remedy of appeal is available.

4. Therefore, leaving it open to the petitioner to approach the Tribunal, the writ petition is dismissed.

5. Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

J. UMA DEVI, J

April 11, 2018

KTL