

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.32552 of 2004
and WP.MP.No.39426 of 2004

A.S.Ganesan

...Petitioner

Vs

LIC Housing Finance Limited,
Tri Star Towers,
657, Avinashi Road,
Coimbatore 641 037.

...Respondent

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, calling for the records of the respondent culminated in and by his Possession Notice dated 20.07.2004 quash the same and consequently directing the respondent not to take any action under the Securitisation and Reconstruction of Financial Assets & Enforcement of Security Interest Act 2002.

For Petitioner : No Appearance
For Respondent : Mr.P.Elayarajkumar
for M/s.Ramalingam & Associates

ORDER

Challenge in the present Writ Petition is to the notice issued by the respondent under Section 13 (4) of the SARFAESI Act.

2. As per the recent decision of the Supreme Court in the case of ICICI Bank Ltd. vs. Umakanta Mohapatra, reported in 2018 SCC online SC 2349, this Writ Petition is not maintainable. Hence, this Writ Petition is dismissed. However, it is open to the petitioner to approach appropriate Forum for redressal of his grievances. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To
LIC Housing Finance Limited,
Tri Star Towers,
657, Avinashi Road,
Coimbatore 641 037.

W.P.No.32552 of 2004

Kak (20/08/2019)



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