

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2019

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.15479 of 2005
and
W.P.M.P.No.16889 of 2005

S.Shanmugasundaram

..Petitioner

Vs

1.Union Bank of India,
Rep.by its Senior Manager,
No.75/75-A Jambulingam Street,
Shevapet, Salem - 636 002.

2The Authorised Officer,
Union Bank of India,
Salem Main Branch,
No.75/75-A Jambulingam Street,
Shevapet, Salem - 636 002.

3.Union of India,
Rep.by Secretary to Government,
Ministry of Finance,
New Delhi.

..

Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking issuance of a writ of certiorari, calling for the records of the 2nd respondent comprised in its notice dated 16.4.2005 published in New Indian Express in reference to Public Auction of the petitioner property on 4.5.2005 at 3.00 p.m situated at bearing Door No.20, Ward No.B, Block No.29 in T.S.No.6, Dr.Ramanathan Road, Salem.

For Petitioner : Mr.R.Santhanam

O R D E R

Challenge in the present writ petition is to the notice issued by the respondents Bank, 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

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To

- 1.The Senior Manager,
Union Bank of India,
No.75/75-A Jambulingam Street,
Shevapet, Salem - 636 002.
- 2.The Authorised Officer,
Union Bank of India,
Salem Main Branch,
No.75/75-A Jambulingam Street,
Shevapet, Salem - 636 002.
- 3.The Secretary to Government,
Union of India,
Ministry of Finance,
New Delhi.

W.P.No.15479 of 2005
and
W.P.M.P.No.16889 of 2005

VGII (CO)
CB(14/10/2019)

सत्यमेव जयते

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