

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2019

CORAM :

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

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.10411 of 2019

P.Mani

.. Petitioner

vs.

1 The Regional Manager
United Bank Of India
Southern Regional Office
184/192, Ramakrishna Mutt Road
Mandaveli, Chennai - 600 028

2 The Branch Manager
United Bank Of India
Virugambakkam Branch
Chennai - 600 092

3 The Authorised Officer
Chief Manager (Recovery)
Southern Region
184/192, Ramakrishna Mutt Road
Mandaveli, Chennai - 600 028

4 R.Dinesh Babu

5 Suriya Ventrikondan

6 Mrs.Revathy

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus, directing the 2nd respondent to return the petitioner's document unconditionally and consequently direct the 2nd respondent to exonerate the petitioner from the loan liability.

For Petitioner : Mr.S.Natarajan

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

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the 2nd respondent to return the petitioner's document unconditionally and consequently direct the 2nd respondent to exonerate the petitioner from the loan liability.

2. The respondent-bank issued a notice dated 13.02.2019 under section 13(2) of the SARFAESI Act.

3. Though the petitioner contended that he is not liable to pay any amount to the respondent-bank, he has not given any reply to the notice issued under Section 13(2) of the SARFAESI Act.

4. It is settled position that a notice issued under section 13(2) of the SARFAESI Act cannot be challenged either before this court by way of Writ Petition or before the Debts Recovery Tribunal under section 17 of the SARFAESI Act.

5. In such view of the matter, we are not inclined to entertain the present Writ Petition. Accordingly, the Writ Petition is dismissed. No costs.

s/d-

Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

Rj
To
1

The Regional Manager
United Bank Of India
Southern Regional Office
184/192, Ramakrishna Mutt Road
Mandaveli, Chennai - 600 028

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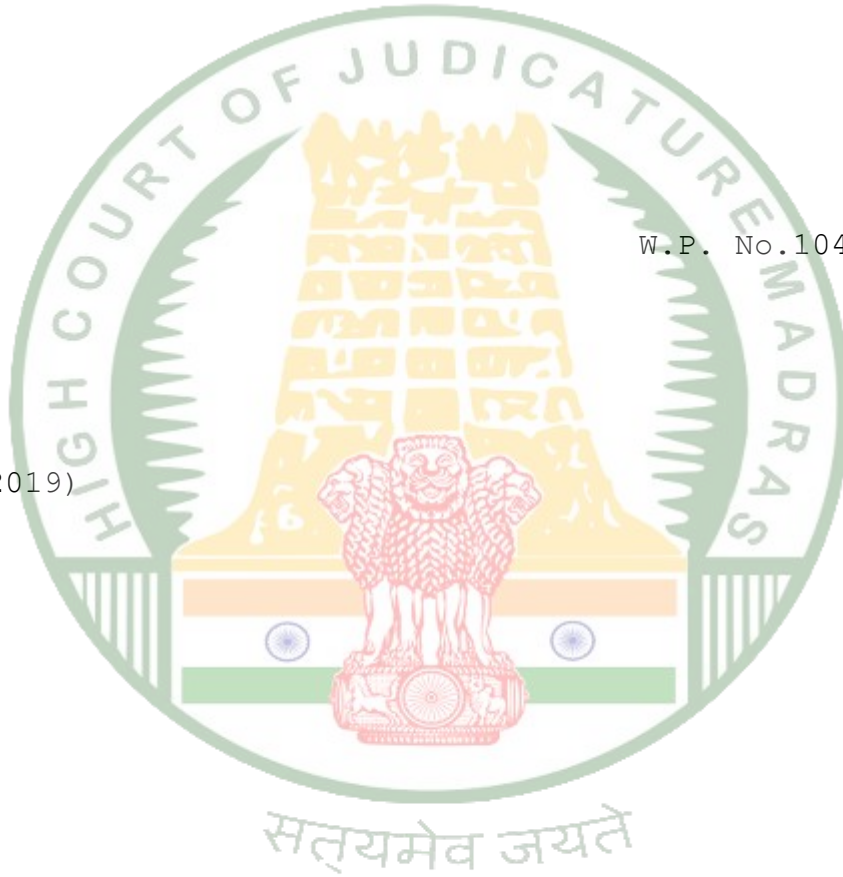
2 The Branch Manager
United Bank Of India
Virugambakkam Branch, Chennai - 600 092

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Chief Manager (Recovery)
Southern Region
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Mandaveli, Chennai - 600 028

+1 CC to Mr.S.Natarajan, Advocate sr 35189.

SKV(CO)
SP(09/05/2019)

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