



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2019

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
AND
THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

W.P(MD)NO.13407 OF 2019

and

W.M.P(MD)Nos.9979 and 9980 of 2019

C.T.Rajaram

:Petitioner

.vs.

1.The District Collector and District Magistrate,
Madurai District,
Madurai.

2.The Authorized Officer,
SUNDARAM BNP PARIBAS HOME FINANCE LIMITED,
Sundaram Towers, First Floor,
No.46, Whites Road,
Royapettah,
Chennai - 600 014.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records in connection with the impugned order passed by the first respondent in his proceedings in R.O.C.No.C6/31678/2015, dated ---.02.2029 and to quash the same.

For Petitioner

:Mr.N.Satish Babu

O R D E R

[Order of the Court was made by **K.RAVICHANDRABAABU., J.**

The Petitioner is aggrieved against the order passed by the first respondent/The District Collector, Madurai District under Section 14 of the SARFAESI Act, 2002. We do not think that this Court can entertain the Writ Petition as against the order passed by the first respondent/District Collector under Section 14 of the said Act, when the Petitioner has an effective remedy to approach the Debt Recovery Tribunal and file appropriate application as against the same. Without doing so, the Petitioner is not entitled to approach this Court and file the present Writ Petition challenging the said proceedings, that too, passed in the month of February 2019. Hence, it is for the Petitioner to work out his



remedy before the Debt Recovery Tribunal by filing appropriate application and if there is any delay in filing the said application, it is for the Petitioner to explain the delay in filing such application and if so, it is for the DRT to consider the same and pass appropriate orders in accordance with law.

2. With the above observations, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar (W)

// True Copy //

Sub Assistant Registrar (CS)

To

The District Collector and District Magistrate,
Madurai District,
Madurai.

+1cc to Mr. N. SATHISH BABU, Advocate, SR.No. 69090
+1cc to M/s. Special Government Pleader, SR.No. 69592

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