

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.2727 of 2021
and W.M.P.Nos.3061 to 3063 of 2021

Venkatesh Rajasekaran ... Petitioner

-vs-

1.The Authorized Officer,
Rep. by its Assistant General Manager,
State Bank of India, SAM Branch,
Red Cross Building, No.32, Red Cross Road,
Egmore, Chennai.

2.The Authorized Officer,
Rep. by its Manager,
SME Branch, North Usman Road,
T.Nagar, Chennai.

3.Govindaraj Gounder ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned sale notice passed by the 1st respondent dated 19.01.2021 and quash the same as illegal, arbitrar and consequently direct the 1st respondent bank to permit the petitioner to redeem the property situated at S.F.No.204, new Sub-Division in S.No.204/2A, S.F.No.203, New Sub-Division in S.No.203/1, S.F.No.209, New Sub-Division in S.No.209/1 in Salem Road, Namakkal Town, within stipulated time fixed by this Court.

For Petitioner

: Mr.M.Dinesh

ORDER

(Made by The Hon'ble Chief Justice)

The matter pertains to steps taken by the respondent-bank under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. The petitioner says that no notice under Section 13 (2) of the Act was issued before steps were taken under Section 13 (4) thereof.

2. Once measures have been taken under Section 13 (4) of the Act, any person aggrieved by such measures may approach the appropriate Debts Recovery Tribunal under Section 17 of the said Act. Since there is an efficacious alternative remedy available to the petitioner herein, the writ petition is not entertained.

W.P.No.2727 of 2021 is dismissed. There will be no order as to costs. Consequently, W.M.P.Nos.3061 to 3063 of 2021 are closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

sra

To

1.The Assistant General Manager,
Authorized Officer,
State Bank of India, SAM Branch,
Red Cross Building, No.32, Red Cross Road,
Egmore, Chennai.

2.The Manager,
Authorized Officer,
SME Branch, North Usman Road,
T.Nagar, Chennai.

W.P.No.2727 of 2021

A.SK(23.02.2021)