

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2021

CORAM :

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

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.9478 of 2021

G.Srinivasan

... Petitioner

-vs-

1 Union of India
Ministry of Finance, Rep by Secretary
(Ministry of Finance), North Block,
New Delhi-110 001

2 Chairman, IOB,
Central office, 763,
Anna Salai, Chennai 600 002

3 General Manager
GM(Law Dept), IOB
Central Office, 763, Anna Salai
Chennai-600 002

4 A.Selva Rangam

5 Dr.S.Suganya

6 S.Aravindan

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the Respondent 2 and Respondents 3 to expedite and take over the physical possession of the 200 properties (Unsold -re possessed flats Worth) about Rs.100 crores appearing in the website of IOB for auction sale including that of the Flat Mortgaged by Respondents-5 being 101, Surendra Homes No.1, Pammal Main Road, Pallavaram, Chennai-600 043 within fifteen days under S.13 (8) r.w.s 14 of SARFAESI Act so that these vacant Flats are handed over to the respective prospective buyers along with the issuance of Sale certificate; impose exemplary costs and penalty U/s.29 of SARFAESI Act on the Respondent-2 3 and other officials of the IOB Bank for failing to implement the amended S.13(8) read with S.14 of SARFAESI Act which has been amended to earn better revenue and other reliefs.

For Petitioner : Mr.G.Srinivasan,
Party-in-person
For Respondents : Mr.B.Sudhir Kumar,
S.P.C., for 1st respondent

ORDER

(Made by The Hon'ble Chief Justice)

The petitioner is, apart from being a lawyer, a busybody qua the matters complained of. The petitioner seeks to challenge the validity of Section 13 (8) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, but the petitioner does not indicate how the petitioner is adversely affected by any action under such provision.

2. Indeed, the petition does not reveal that the petitioner has obtained any credit facilities or has been exposed to any action by any secured creditor. Quite candidly, the petitioner appearing in person, says that a neighbour is facing difficulties in connection with credit facilities obtained from a bank or financial institution.

3. Since the petitioner has no interest in the application of the relevant provision which is questioned, W.P.No.9478 of 2021 is dismissed without going into the merits thereof. The petitioner should refrain from wasting Court time on such frivolous matters in future. The petitioner is spared the costs.

Sra

-s/d-
Deputy Registrar

True Copy

Sub-Assistant Registrar

To

- 1 The Secretary,
(Ministry of Finance), North Block,
New Delhi-110 001.
- 2 The Chairman, IOB,
Central Office 763,
Anna Salai, Chennai 600 002.
- 3 The General Manager
GM (Law Dept) , IOB,
Central Office, 763, Anna Salai,
Chennai-600 002.

+ 1 cc to M/s. B. Sudhir Kumar, Advocate Sr.23479

W.P.No.9478 of 2021

JP-II(CO)
EU 7.6.2021