



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.02.2021**

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MRS. JUSTICE S.ANANTHI**

**W.P. (MD)No.1831 of 2021
and W.M.P. (MD) No.1566 of 2021
(Through Video Conferencing)**

S.Arumugam

: Petitioner

Vs.

1.The Regional Manager,
M/s.Hinduja Housing Finance Limited,
No.27-A Developed Industries Estate,
Guindy, Chennai.

2.The Branch Manager,
M/s.Hinduja Housing Finance Limited,
No.5 First Floor
Rockfort Tower
Salai Road,
Uraiyur
Trichy.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorari to call for the records relating to the impugned possession notice dated 21.01.2021 under SARFAESI Act, 2002 issued by the 2nd respondent in Loan Agreement No.TN/TCP/TCAP/A000000102 of the petitioner and quash the same.

For Petitioner : Mr.J.Vijayaraja

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The writ as filed is not maintainable. The petitioner's remedy is only by approaching the jurisdictional Tribunal. It is well open to the petitioner to raise all the plea including the earlier conclusion of the arbitration proceedings. Suffice it to state that the writ petition is not maintainable also on the ground that the respondents are private entities involving in commercial



transaction. No costs. Consequently connected Miscellaneous
Petition is closed.

Sd/-

Assistant Registrar (AS)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

+1 CC to M/s.J.VIJAYARAJA, Advocate (SR-3631[F] dated
05/02/2021)

Order made in

W.P. (MD)No.1831 of 2021

Dated: 04.02.2021

(PM) CO

AP(18/02/2021) 2P 2C