



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE **M.M. SUNDRESH**

AND

THE HONOURABLE MRS. JUSTICE **S. ANANTHI**

W.P. (MD) No. 5611 of 2021

and

W.M.P. (MD) No. 4450 of 2021

WEB COPY

1. K.B. Barath Singh

2. K.B. Balaram Singh

3. K.B. Aparajith Singh

4. B. Gunachitra

5. Sri Balaji Chit Funds,
Rep. by its authorized person,
K.B. Barath Singh

: Petitioners

Vs.

Canara Bank,
Authorised Officer,
ARM Branch,
Circle Office Building,
1st Floor, St. Mary's Campus,
East Veli Street,
Madurai - 625 001.

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for the records of the impugned proceedings of the respondent in REF:MDU ARM SN 432 2021 CRR dated 08.02.2021 and quash the same.

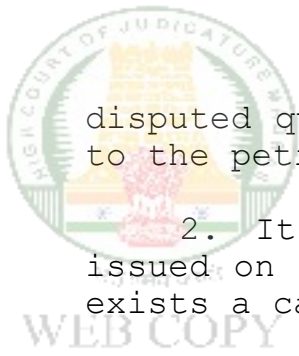
For Petitioners : Mr. R. Vinoth Bharathi

For Respondent : Mr. N. Dilip Kumar

ORDER

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

Today, the learned Standing Counsel appearing for the respondent produced a copy of the notice issued under Section 13(2) of the SARFAESI Act. Though the learned Counsel appearing for the petitioners submitted that it has not been served, this being a



disputed question, we cannot go into the same. The only remedy open to the petitioners is to approach the jurisdictional Tribunal.

2. It is also seen that a subsequent sale notice has been issued on 23.03.2021. Therefore, even from that date onwards, there exists a cause of action.

3. In such view of the matter, granting liberty to the petitioners to approach the jurisdictional Tribunal, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

gk

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-14459[F] dated 30/03/2021)

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