



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2021

CORAM:

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

AND

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

W.P. (MD) No.19450 of 2020

and

W.M.P. (MD) Nos.16223 & 16224 of 2020

J.S.Durga Nair

: Petitioner

Vs.

1.The Authorised Officer,
City Union Bank Ltd.,
Administrative Office,
No.24-B, Gandhi Nagar,
Kumbakonam,
Thanjavur District - 612 001.

2.The Branch Manager,
City Union Bank Ltd.,
Nilakottai Branch,
Dindigul District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus calling for the records relating to the docket order dated 14.02.2020 passed in Cr.M.P.No.843 of 2020 on the file of the Chief Judicial Magistrate, Dindigul and quash the same as illegal and consequently, directing the respondents not to take possession or auction the petitioner's property in Item No.1, the land situated at Dindigul RD, Nilakottai SD, Musuvanoothu Village in Patta No.265, Survey No.120/1B1, 120/2B, 122/3 in Item No.2, the house site property located in Dindigul RD, Nilakottai SD, Nilakottai Taluk.

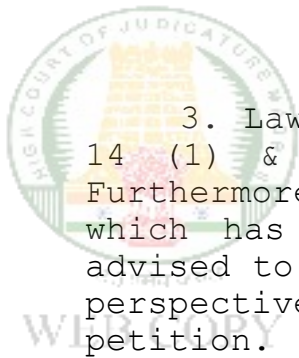
For Petitioner : Mr.V.Karuna

ORDER

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

The petitioner has come forward to file this writ petition challenging the appointment of a Commissioner, vide the impugned proceedings, to pass an order under Section 14(2) of the SARFAESI Act.

2. It appears that the petitioner has already filed an application before the jurisdictional Debts Recovery Tribunal and on her failure to comply with the conditions imposed therein, the interim relief sought for by her has been rejected by the Tribunal.



3. Law is trite that as against the order passed under Sections 14 (1) & (2) of the SARFAESI Act, no writ petition will lie. Furthermore, the petitioner has already approached the Tribunal, which has also passed an order. Perhaps, the petitioner can be advised to file an appeal, if she decides to do so. Looking from any perspective, we do not find any ground to entertain this writ petition.

4. In such view of the matter, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

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Sub Assistant Registrar (CS)

gk

W.P. (MD) No.19450 of 2020
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