



WEB COPY



W.P.No.17968 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.17968 of 2022

P.Lakshmi

.. Petitioner

VS

The Authorised Officer,
Sri Ram City Union Finance Limtied,
D.No.123, Angappa Naicken Street,
Chennai.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the records in CrI.M.P.No. 204 of 2022 on the file of Chief Judicial Magistrate, Coimbatore dated 4.3.2022 and to quash the same.

For the Petitioner

: Mr.M.Saravanakumar

ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

This writ petition has been filed to challenge the order of the Chief Judicial Magistrate, Coimbatore, in CrI.M.P.No.204 of 2022 dated 04.03.2022, passed under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security



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Interest Act, 2002.

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2. The order aforesaid is appealable. No reason has been given as to why the remedy of statutory appeal has not been availed. It cannot be on the ground that the period of limitation to maintain the appeal has expired, for the reason that the order was communicated to the petitioner after the expiry of such period. It is for the petitioner to workout his remedies with regard to limitation issue. A writ petition would not be maintainable when an effective and efficacious remedy of appeal is available.

3. The writ petition is dismissed with liberty to maintain an appeal before the Debts Recovery Tribunal, as per the provisions of law. There will be no order as to costs.

(M.N.B., C.J.) (N.M., J.)
15.07.2022

Index : Yes/No
tar

To:
The Chief Judicial Magistrate, Coimbatore



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M.N.Bhandari, CJ.
and
N.Mala, J.

(tar)

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