



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)No.2211 of 2022
and
WMP(MD)No.1923 of 2022

T.Suresh Babu

... Petitioner

vs.

- 1) The Authorized Officer,
Aptus Value Housing Finance India Ltd.,
8B, Doshi Towers,
205, Poonamallee High Road,
Kilpauk,
Chennai-600 010.
- 2) The Branch Manager,
Aptus Value Housing Finance India Ltd.,
Marthandam Branch,
No.4/63A4 Roses Complex Valiyakattu vilai,
Pammam, Marthandam,
Kanyakumari District-629165.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, calling for the records of the impugned possession notice dated 27.11.2021 issued by the 1st respondent and quash the same as illegal.

For Petitioner : Mr.R.J.Karthick

ORDER

(Order of the Court was made by
PUSHPA SATHYANARAYANA, J.)

The challenge in the writ petition is to the possession notice issued by the 2nd respondent under the SARFAESI Act.

2. The said notice was issued on 27.11.2021. Assailing the said notice, the petitioner has preferred SARFAESI Application in S.A.No.49 of 2022 before the Debts Recovery Tribunal, Madurai, and it is kept pending for want of Presiding Officer.



3. As there is no Presiding Officer in the Debts Recovery Tribunal, Madurai, Madurai matters are being called in the Debts Recovery Tribunal, Coimbatore.

4. Therefore, we only direct the Debts Recovery Tribunal, Madurai, to transmit the papers in S.A.No.49 of 2022 to the Debts Recovery Tribunal, Coimbatore, after which, the Debts Recovery Tribunal, Coimbatore, is directed to take up S.A.No.49 of 2022 on 11.02.2022 and pass orders on merits.

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

bala

To

1.The Presiding Officer,
Debts Recovery Tribunal,
Madurai.

2.The Presiding Officer,
Debts Recovery Tribunal,
Coimbatore.

ORDER MADE IN
W.P(MD)No.2211 of 2022
DATED : 03.02.2022

sb (CO)

TR(11.02.2022) 2P 3C