



W.P.(MD) No.17031 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.17031 of 2022

and

W.M.P.(MD)No.12411, 12415 and 12417 of 2022

Thirumal Alagu Travels,

Represented by its Proprietor,

Venkateshwaran

... Petitioner

-Vs-

1.The Regional Director,
Reserve Bank of India,
Department of Banking Supervisor,
For Glacis, No.16, Rajaji Salai,
Chennai-01.

2.The Authorized Officer,
Kotak Mahindra Bank,
8th Floor, TVH Agnito Park,

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141, Old Mahabalipuram Road, Kandhan Chavadi,
Chennai-600 096.

3.The Authorized Officer,
Kotak Mahindra Bank,
No.1A, 1st Floor, West Perumal Maistry Street,
Madurai-625 001.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the entire records in relating to the entire recovery proceedings, including the impugned loan recall notices dated 03.06.2022 & 06.06.2022 and impugned post repossession notices of the 2nd respondent dated 20.05.2022 in respect of the loan a/c Nos.CV-4335726, CV-43357530, CV-4335750, CV- 4335779, CV-4335783, CV-4335803, CV-4210460, CV-4257338 & CV-4216022 and to quash the same and consequently, to return back the petitioner's 5 buses, which are secured assets to the above loans and further, to direct the respondents to revive the petitioner's above loan accounts, so as to enable the petitioner to settle the above loans.

For Petitioner : Mr.M.S.Jeyakarthikk



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ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

Challenging the loan recall notices dated 03.06.2022 & 06.06.2022 and post repossession notices dated 20.05.2022 issued by the 2nd respondent, this Writ Petition is filed with a consequential direction to the respondents to return back the petitioner's 5 buses, which are secured assets to the above loans and further, to revive the petitioner's above loan accounts, so as to enable the petitioner to settle the above loans.

2.Today, when the matter was taken up for hearing, the learned counsel for the petitioner seeks liberty to file their objections to the impugned notices, since they have some legal claims to agitate before the respondent Bank.

3.In view of the above, granting liberty to the petitioner to file their objections to the impugned notices, this Writ Petition stands disposed of with an observation that if any adverse order is passed against the petitioner, it is always

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open to them to challenge the same in the manner known to law. No costs.

Consequently, connected miscellaneous petitions are closed.

[R.M.D., J.] & [J.S.N.P., J.]

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Index : Yes / No

Internet : Yes / No

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