



W.P.(MD) No.28859 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD) No.28859 of 2022
and W.M.P.(MD)No.22830 of 2022

S.Maruthaiyammal

... Petitioner

Vs.

1.The Authorized Officer,
The Chief Manager,
Canara Bank,
JC Complex, Madurai Road,
Periyakulam Branch,
Theni District.

2.The Branch Manager,
Canara Bank,
Periyakulam Branch,
Theni District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the



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impugned Sale Notice made by the 1st respondent in Ref. 1017/897/125/840/28240/883/27855, dated 28.11.2022, under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 read with rule 8(6) of the Security Interest (Enforcement) Rules 2022 and quash the same and consequently direct the 1st respondent to consider the One Time Settlement made by the petitioner dated 05.03.2021 and close the Agricultural Loans of the petitioner in 1017897000125, 1017883027855, 1017840028240 in the respondents bank.

For Petitioner : Mr.T.Sakthikumaran for
Mr.N.Marimuthu.
For Respondents : Mr.C.Deepak,
Standing Counsel

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Sale Notice made by the 1st respondent in Ref. 1017/897/125/840/28240/883/27855, dated 28.11.2022, under Securitization and Reconstruction of Financial Assets and



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Enforcement of Security Interest Act, 2002 read with rule 8(6) of the Security Interest (Enforcement) Rules 2022 and quash the same and consequently direct the 1st respondent to consider the One Time Settlement made by the petitioner dated 05.03.2021 and close the Agricultural Loans of the petitioner in 1017897000125, 1017883027855, 1017840028240 in the respondents bank.

2. The learned counsel appearing for the petitioner submitted that the petitioner may be granted liberty to work out her remedy before the Debts Recovery Tribunal, Madurai.

3. In view of the above submissions, this Writ Petition is disposed of granting liberty to the petitioner to work out her remedy before the Debts Recovery Tribunal, Madurai. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] [R.V., J.]
22.12.2022

Index : Yes / No
Internet : Yes / No
vsm

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and
R.VIJAYAKUMAR, J.

vsm

To

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