



W.P.No.5385 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.No.5385 of 2023

Abbas Aga
rep. by the General Power of Attorney
Syeda Fathima Zurriath

.. Petitioner

Vs

1.The Authorized Signatory,
ICICI Bank Ltd.,
ICICI Bank Towers,
No.24, South Phase,
Ambattur Industrial Estate, Ambattur,
Chennai-600 058.

2.Hassan Aga
3.Saniya Adil

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first respondent to remove the lock and seal put up in the petition mentioned property situate at Old Door No.42, subsequent Old Door No.42, Present Door No.41, Vijaya Narayana Dass Road, comprised in Old R.S.No.366, New R.S.No.375-377, C.C.No.180, Thiruvateeswaranpet, Mylapore-Triplicane Taluk, Chennai on 4.7.2022 in gross and wilful disobedience and violation to the order



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dated 30.6.2020 passed by the Debt Recovery Tribunal-II in S.A.No.172 of 2020.

For the Petitioner : Mr.R.Abdul Mubeen

For the Respondents : Mr.S.Suresh
for respondent No.1

: Notice unclaimed
by respondents 2 and 3

ORDER

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

We have heard Mr.R.Abdul Mubeen, learned counsel for the petitioner, and Mr.S.Suresh, learned counsel for the first respondent.

2. The petitioner has approached this Court to direct the first respondent to remove the lock and seal.

3. It is not in dispute that today the lock and seal of the petitioner's property has been removed.



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4. Learned counsel for the petitioner also submits that the lock and seal put up on the petitioner's property has been removed.

5. It is contended that the petitioner had challenged the action of the bank under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 by filing an application before the Debts Recovery Tribunal. The Debts Recovery Tribunal has allowed the application.

6. According to learned counsel for the bank, the bank has approached the Debt Recovery Appellate Tribunal for setting aside the said order.

7. Be that as it may, the purpose of the writ today stands served. If there is an order under Section 14 of the Act, it is for the petitioner to assail the same as may be permissible under the law.



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8. The writ petition, accordingly, stands disposed of.

Consequently, W.M.P.Nos.5404 and 5406 of 2023 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

27.06.2023

Index : Yes/No
Neutral Citation : Yes/No
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To

The Authorized Signatory,
ICICI Bank Ltd.,
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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKEVALU, J.

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