



W.P.No.5641 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2023

CORAM :

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

AND

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

W.P.No.5641 of 2023

R.Muthammal

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Petitioner

Vs.

1. REPCO Bank Ltd.

Asset Recovery Management Branch Chennai

Rep. by its Authorized Officer

Repco Tower, No.33, North Usman Road

T.Nagar, Chennai – 600 017.

2. M/s.Sri Venglamani Amman

Educational & Charitable Trust

Rep. by its Chairman & Managing Trustee

Mr.N.Rajesh Kanna.

3. N.Rajesh Kanna

4. R.Lakshmi

5. R.R.Ramasamy

6. K.Poonayee

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Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari, call for the records and to quash the entire process of the first respondent under SARFAESI Act Leading to the proceedings in CrI.M.P. No. 1226 of 2022 under Section 14 of the SRFAESI act on the file of Chief Judicial Magistrate, Namakkal.



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For the Petitioner : Mr.S.Senthil

For the Respondents : Mr.A.Ilangovan
for R1

No appearance for R2 to R4

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.S.Senthil, learned counsel for the petitioner and Mr.A.Ilangovan, learned counsel for the first respondent.

2. Learned counsel for the Bank submits that the proceedings under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI) filed by the Bank has been withdrawn on 20.02.2023, as the proceedings under the SARFAESI was not maintainable pursuant to the judgment of a Division Bench of this Court in the case of *S.P.Ganesan vs. The Authorised Officer, REPCO Bank* dated 03.03.2021 in W.P.No.33133 of 2019.



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3. In view of that, as the proceedings itself has been withdrawn, nothing survives in this writ petition. The writ petition, as such, stands disposed of. There will be no order as to costs. Consequently, W.M.P.No.5663 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

28.07.2023

Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(drm)

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