



W.P.No.7063 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2023

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.7063 of 2023

Sri venkatachalapathy Modern Rice Mill
Rep. by its Partner B.Navakumar
S/o. Balakrishnan
Old T.N.Palayam Road
Abishegapakkam
Puducherry.

.. Petitioner

Vs.

1. The Deputy General Manager
IDBI Bank
No.115, Anna Salai, Saidapet
Chennai 15.
2. The Branch Manager
IDBI Bank, Puducherry Branch
S.V.Patel Salai
Puducherry.
3. The Authorised Officer
IDBI Bank
No.115, Anna Salai, Saidapet
Chennai 15.

.. Respondents



W.P.No.7063 of 2023

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Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Certiorari calling for the entire records relating to the impugned sale notice published in "Dinamani" newspaper by the third respondent dated 03.02.2023 and quash the same.

For the Petitioner : Mr.C.Prakasam

ORDER

(Made by the Hon'ble Acting Chief Justice)

Challenging the sale notice issued by the third respondent, to sell the property mortgaged by the petitioner in public auction, in order to realise the sum payable by him towards the loan amount, the petitioner has filed this writ petition.

2. Questioning the validity or correctness of the sale notice issued by the third respondent, the petitioner has to approach the Debts Recovery Tribunal and not this Court by invoking Article 226 of the Constitution of India.

3. In view of the above, this writ petition is dismissed with liberty to the petitioner to approach the Debts Recovery Tribunal.



W.P.No.7063 of 2023

WEB COPY

Consequently, WMP Nos.7140 and 7142 of 2023 are also dismissed.

(T.R., ACJ.) (D.B.C., J.)
07.03.2023

Index : Yes/No
Neutral Citation : Yes/No

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To

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