



W.P.No.19774 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2023

CORAM :

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

AND

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

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I Silver Electronics and Networks Private Limited
rep. by its General Manager, Luckman
S/o.Mohammed Iqbal
Nehru Colony, Mahalingapuram
Pollachi Taluk, Coimbatore District.

.. Petitioner

Vs

1. The Union of India
rep. by its Secretary
Ministry of Finance
Parliamentary House
New Delhi.
2. The Chief General Manger
Reserve Bank of India
Central Office Building, 20th Floor
Shahid Bhagat Singh Road
Mumbai – 400 001.
3. The Regional Director
Reserve Bank of India
Fort Glacis, No.16, Rajaji Salai
Chennai – 600 001.



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4. The Authorised Officer
Cholamandalam Investment and
Finance Company Limited
office at D.No.301, 302, 3rd Floor
Raheja Centre, Avinashi Road
Coimbatore – 641 018.

5. Revathy

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 3 to consider and dispose the representation dated 27.2.2023 which is given by the petitioner against the fourth respondent within a stipulated time.

For the Petitioner : Mr.M.Saravanakumar

For the Respondents : Mr.K.Gangadharan
for respondents 1 to 3

ORDER

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

We have heard Mr.M.Saravanakumar, learned counsel for the petitioner, and Mr.K.Gangadharan, learned counsel for respondents 1 to 3.

2. Learned counsel for the petitioner submits that the petitioner is a lessee of a secured asset. Action was taken by the fourth respondent/secured creditor under the Securitisation and



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Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. The petitioner had approached the Debts Recovery Tribunal by filing S.A.No.350 of 2021. Though the fourth respondent does not have any authority, the movable property of the petitioner has been taken in possession by the fourth respondent.

3. As the petitioner has already approached the Debts Recovery Tribunal by filing an application under Section 17 of the Act, the petitioner can seek all the reliefs in the said application. If any such application is filed by the petitioner, the Debts Recovery Tribunal shall consider the same on its own merits expeditiously.

With these observations, the writ petition is disposed of. There will be no order as to costs.

(S.V.G., C.J.)

(P.D.A., J.)

10.07.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi



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THE HON'BLE CHIEF JUSTICE
AND
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(sasi)

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