



WP No.11784 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.11784 of 2023
WMP Nos.11676 to 11678 of 2023

1. M/s.Bharani Pattu
Rep. by the Managing Partner,
Mr.T.Senthil, 130, Rajaji Street,
Cross Cut Road, Ram Nagar,
Coimbatore 641.

2. T.Senthil
3. M.Anuradha
4. V.J.Sathya Saran
5. M.Priya
6. K.S.Mahadevan

.. Petitioners

-VS-

The Authorized Officer,
Canara Bank-Gandhipuram Branch,
7/100 Cross Cut Road,
Gandhipuram, Coimbatore-641 012.

.. Respondent

Prayer: Writ Petition under Article 226 of the Constitution of India
praying for a Writ of Certiorarified Mandamus to call for the records
issued by the respondent under Section 13(2) of the SARFAESI Act in



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Ref: DN/BHARANI PATTU/104500424, dated 30.01.2023 and quash the same and direct the respondent to regularize the account of the petitioner.

For the Petitioner : Mrs.Thenmozhi Shivaperumal

For the Respondents : Mrs.S.R.Sumathy
Standing Counsel
* * * * *

ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed challenging the notice issued under Section 13(2) of the SARFAESI Act, 2002 by the respondent Bank for the default committed by the petitioners in repaying the credit facility availed by them.

2. When the matter was taken up for hearing, learned counsel appearing for the petitioners submitted that the petitioners are ready and willing to repay the entire loan amount due and payable to the bank.

3. M/s.S.R.Sumathy, learned counsel taking notice on behalf of the respondent Bank, on instructions, submitted that since the



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petitioners are coming forward to pay the entire money due and payable to the bank and since it is only in the stage of issuance of notice under Section 13(2) of the Act, the petitioners can very well approach the Authorised Officer of the bank any time within a week and make a request to settle the entire amount due and the bank will, in turn, consider the request of the petitioners.

4. Recording the submission of the learned counsel appearing for the respondent Bank, this writ petition is disposed of by directing the petitioners to approach the bank within a week from today and make a request for settling the entire amount due to the bank, which will be considered by the bank in accordance with law. Consequently, W.M.P.Nos.11676 to 11678 of 2023 are closed. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
19.04.2023

Index : Yes/No
Neutral Citation : Yes/No
sra



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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY, J.

(sra)

To

The Authorized Officer,
Canara Bank-Gandhipuram Branch,
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