



WP No.13416 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2023

CORAM

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

AND

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

WP No.13416 of 2023

R.Gokulakannan : Petitioner

versus

The Authorised Officer and
Vice President
Shirram Finance Limited,
3rd Floor, No.145,
Santhome High road,
Mylapore, Chennai. 4

: Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the records and quash the impugned possession notice dated 07.03.2023 issued by the respondent in respect of loan Nos.CUDL1TF1707270014 and CUDL1TF1712300001.

For the Petitioner : Mr.R.Gururaj

For the Respondent : Mr.R.Umashankar



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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.R.Gururaj, learned counsel for the petitioner and Mr.R.Umashankar, learned counsel for the respondent.

2. It is submitted that the land in question is an agricultural land and as such, the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 could not have been invoked.

3. Learned counsel for the respondent refers to the schedule of properties wherein RCC building exists and a rice mill is operating.

4. Disputed questions of fact would emerge in the matter. In light of that, we are not inclined to exercise our writ jurisdiction. The petitioner may avail the alternate remedy as may be permissible under law.



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5. The writ petition disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

02.08.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

To

The Authorised Officer and
Vice President
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THE HON'BLE CHIEF JUSTICE
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P.D.AUDIKEVALU, J.

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