



W.P.No.14046 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2023

CORAM :

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

AND

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

W.P.No.14046 of 2022

K.Ananth

..

Petitioner

Vs.

1. Punjab National Bank
Rep. by its Authorized Officer
Mr.M.Velayutham
Sastra South, PNB Towers
No.46-49, Royapettah High Road
Chennai 600 014.
2. M/s.Jaydev Constructions Pvt. Ltd.
Rep. by its Director
Plot No.38, Bhim Sena Building
No.3, Murrays Gate Road
Alwarpet, Chennai 600 018.

3. K.Srikanth

4. Kavitha Srikanth

..

Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari, calling for the records comprised in the proceedings of the Chief Metropolitan Magistrate Court, Egmore, Chennai in CrI.M.P.No.565 of 2022 dated 10.03.2022 and quash the same.



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For the Petitioner : Mr.T.T.Ravichandran

For the Respondents : Ms.P.Rajalakshmi
for R1

R2 not ready in notice

Mr.Suvethan
for R3 & R4

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.T.T.Ravichandran, learned counsel for the petitioner,
Ms.P.Rajalakshmi, learned counsel for respondent 1 and Mr.Suvethan,
learned counsel for respondents 3 & 4.

2. Learned counsel for the Bank submits that possession pursuant to the order under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for brevity, hereinafter referred to as, "the SARFAESI Act") has been taken and the property is sold to the third respondent / auction purchaser.



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3. The petitioner is only challenging the order passed under Section 14 of the SARFAESI Act.

4. It is contended by learned counsel for the Bank that possession has already been taken, pursuant to the order under Section 14 of the SARFAESI Act and nothing survives in the present writ petition.

5. The petitioner may assail the auction or any steps taken under the provisions of the SARFAESI Act, as may be permissible in law.

6. In view of the above, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.13289, 13290 & 13291 of 2022 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

10.08.2023

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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