



WP No.13796 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.13796 of 2023

K.Mani Naicker

... Petitioner

versus

The Branch Manager,
Indian Overseas Bank
Uthiramerur Branch,
Kancheepuram 603 406

... Respondent

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondent to consider petitioner's representation dated 04.04.2023 and close the petitioner's loan account No.014803951000093 with the respondent.

Appearances :

Mr.I.Abrar Mohamed Abdullah, for the petitioner

ORDER



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(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed seeking a writ of mandamus directing the respondent to consider the petitioner's representation dated 04.04.2023 and close the petitioner's loan account.

2. Heard learned counsel for the petitioner.

3. It is seen from the records that the petitioner was issued with a notice dated 06.02.2023, under Section 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. However, the bank has not taken any action for taking possession under Section 13(4) of the Act of 2002. Therefore, if any further action is taken by the secured creditor, it is for the petitioner to work out his remedy before the Debts Recovery Tribunal in the manner known to law. The writ petition fails and is dismissed. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
28.04.2023

Index : Yes/No
Neutral Citation : Yes/No
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To

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

(tar)

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