



W.P.No.18940 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2023

CORAM :

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

AND

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

W.P.No.18940 of 2023

1.S.V.M.Geetha Manivannan  
2.S.V.M.Rajkaran  
3.S.V.M.Sharan Pandian

.. Petitioners

Vs

1.M/s.Pridhvi Asset Reconstruction and  
Securitisation Company Limited,  
D.No.1-55, Raja Praasadamu, 4<sup>th</sup> Floor  
Masjid Banda Road,  
Kondapur, Hyderabad-500 084  
rep. by Power of Attorney N.R.K.Chandulal,  
R/o.8-3-169/147, 501, Niveditha Enclave  
Sidhartha Nagar,  
Hyderabad-500 038.

2.The Chief Metropolitan Magistrate,  
Egmore, Chennai-600 008.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari calling for the records in Crl. M.P.No.1528 of 2016 dated 6.4.2016 on the file of the second respondent and quash the same.



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For the Petitioners : Mr.A.Saravanan  
For the Respondents : Mr.Srinath Sridevan  
Senior Counsel  
for Mr.Surya Teja Nalla  
for respondent No.1

ORDER

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

We have heard Mr.A.Saravanan, learned counsel for the petitioners and Mr.Srinath Sridevan, learned senior counsel for Mr.Surya Teja Nalla, learned counsel for the first respondent.

2. The petitioners are challenging the order passed under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for brevity, "*the SARFAESI Act*").

3. It is submitted by learned counsel for the petitioners that the order was passed in the year 2016 in the name of the father of the petitioners. No action was taken by the bank pursuant to the



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said order. The father of the petitioners is dead and now on the basis of the aforesaid order, the bank and its authorities are trying to evict the petitioners.

4. The remedy is provided under Section 17 of the SARFAESI Act to assail the order passed under Section 14 of the SARFAESI Act. The petitioners may take appropriate steps as may be permissible under law. In that event, all contentions are kept open.

5. With the aforesaid observation, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.No.18182 of 2023 is closed.

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

(P.D.A., J.)

26.06.2023

Index : Yes/No  
Neutral Citation : Yes/No  
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To  
The Chief Metropolitan Magistrate,  
Egmore, Chennai-600 008.



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THE HON'BLE CHIEF JUSTICE  
AND  
P.D.AUDIKEVALU, J.

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