



WP No.21808 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2023

CORAM :

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

AND

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

WP No.21808 of 2023

Gnana Nallathambi Thangadurai : Petitioner

versus

The Authorised Officer,
Indian Bank,
Padi Branch,
97, 1st Main Road, Opp Aiema Towers,
Ambattur Industrial Estate. : Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the records of the respondent in its sale notice dated 06.06.2023 as published on 08.06.2023 issued in violation of the 1st proviso to Rule 9(1) and to quash the same by declaring it as illegal and void.

For the Petitioner : Mr.G.Ilamurugu

ORDER

Page 1 of 4



WP No.21808 of 2023

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

We have heard Mr.G.Ilamurugu, learned counsel for the petitioner.

2. The petitioner is challenging the notice of intended sale on the ground that the same is in violation of the Security Interest (Enforcement) Rules, 2002.

3. The petitioner has a remedy before the Debts Recovery Tribunal. In light of that, we are not inclined to entertain the writ petition on merits.

4. The writ petition is disposed of with liberty to the petitioner to avail the alternate remedy. In that event, all contentions are kept open. There will be no order as to costs. Consequently, WMP No.21143 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

26.07.2023

Index : Yes/No

Neutral Citation : Yes/No
tar



WP No.21808 of 2023

To:

The Authorised Officer,
Indian Bank,
Padi Branch,
97, 1st Main Road, Opp Aiema Towers,
Ambattur Industrial Estate.



WEB COPY



WP No.21808 of 2023

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

(tar)

WP No.21808 of 2023

26.07.2023