



WEB COPY



W.P.No.24243 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2023

CORAM :

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

AND

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

W.P.No.24243 of 2023

B.Prabhu
Petitioner

..

Vs

1.The District Collector,
Collector Office,
Tiruppur District-641 604.

2.The Authorized Officer,
Repco Home Finance Limited,
Alexander Square,
No.2 (Old No.34&35) 3rd Floor,
Sardar Patel Road,
Guindy, Chennai-600 032.

3.The Branch Manager,
Repco Home Finance Limited,
No.18, Harini Centre, First Floor,
Nehru Street, Khaderpet,
Tiruppur-641 601.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari calling for the records of the first respondent pertaining to the order dated 12.07.2019 in



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proceedings Ref.No.17582/2017/C3 and quash the same.

For the Petitioner : Mr.Deepan Uday

For the Respondents : Mr.K.M.D.Muhilan
Addl. Government Pleader
for respondent No.1

: Mr.A.Ilangovan
for respondent Nos.2 and 3

ORDER

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

We have heard Mr.Deepan Uday, learned counsel for the petitioner; Mr.K.M.D.Muhilan, learned Additional Government Pleader for the first respondent and Mr.A.Ilangovan, learned counsel for respondents 2 and 3.

2. The petitioner is challenging the order dated 12.07.2019 purportedly under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, "*the SARFAESI Act*") after lapse of four years.



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3. The petitioner had approached the Debts Recovery Tribunal challenging the auction sale. Some interim orders were passed. Subsequently, that application has been disposed of on the ground that the auction sale did not materialise.

4. Learned counsel for the petitioner submits that the petitioner would approach the Debts Recovery Tribunal. The petitioner may avail the remedy as may be permissible under law and as may be maintainable.

5. With these observations, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.23708 and 23711 of 2023 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

18.08.2023

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
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