



W.P.No.28547 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2023

CORAM :

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

AND

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

W.P.No.28547 of 2022

V.Sri Bhuvaneshwari

.. Petitioner

Vs.

The Chief Manager
State Bank of India
RACC Mettupalayam (62490)
No.212A, Karamadai Road, EMS Complex
Mettupalayam Pin Code 641 301.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorarified Mandamus to call for the records connected with the notice dated 25.04.2022 passed by the respondent herein and quash the same and consequently, direct the respondent to cancel the Housing Loan A/c. No.39782793125 and Suraksha A/c. No.3978983171.

For the Petitioner

: Mr.S.Ilamvaludhi

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ORDER
(Made by the Hon'ble Chief Justice)

We have heard Mr.S.Ilamvaludhi, learned counsel for the petitioner.

2. The petitioner is challenging the notice issued under Section 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

3. The notice under Section 13(2) of the Act cannot be subject matter of challenge. It is only if action under Section 13(4) is undertaken, the same can be a subject matter.

4. Be that as it may, it seems that no further action has been taken by the bank.

5. Learned counsel for the petitioner submits that the petitioner is an orphan. She has just now crossed 19 years of age and her



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younger brother is minor. They both have received only Rs.16,31,039/- from the retiral benefits of their father. They are ready to pay the said amount.

6. The amount of loan, it appears, is about Rs.25 lakh and odd.

7. This Court, in the present writ petition challenging notice under Section 13(2) of the Act, cannot pass any further orders. It is for the petitioner to approach the bank with an application as may be permissible. The application of the petitioner can be considered by the bank on its own merits.

8. With the above observations, the writ petition is disposed of. W.M.P.No.27859 of 2022 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

14.08.2023

Index : Yes/No
Neutral Citation : Yes/No

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