



W.P.No.27503 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2023

CORAM :

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

AND

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

W.P.No.27503 of 2023

Sailasree

..

Petitioner

Vs.

1. The Chief Manager
Canfin Homes Ltd.
No.74, 1st Floor, 3rd Cross
Near Balaji Theatre, Kamaraj Colony
Hosur – 635 109.

2. The Authorised Signatory
Canfin Homes Ltd. Head Office
No.29/1, 3rd Floor, M.N.Krishna Rao Road
Basavangudi, Bengaluru
Karnataka – 560 004.

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Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents 1 and 2 to take appropriate action on the basis of the petitioner complaint dated 31.08.2023.

For the Petitioner

: Ms.R.S.Sangeethapriya



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ORDER

(Made by the Hon'ble Chief Justice)

Heard Ms.R.S.Sangeethapriya, learned counsel for the petitioner.

2. A prayer is made to restore the possession of the schedule property.

3. According to learned counsel for the petitioner, there is no transparency in the action of the Bank and that the husband of the petitioner misused the signature of the petitioner. A complaint has been given by the petitioner, but to no avail.

4. The petitioner has a remedy available under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. More over, if a complaint is required to be made as against the working of the Bank, the forum of Banking Ombudsman is available. Learned counsel for the petitioner admits that the amount of Rs.22 lakhs was outstanding as



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per the notice. The petitioner also has not deposited any amount after June, 2019.

5. In the light of that, the writ petition cannot be entertained. It is for the petitioner to avail the alternate remedy, that may be available under law.

6. With these observations, the writ petition stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)
22.09.2023

Index : Yes/No
Neutral Citation : Yes/No

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

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