



W.P.No.27698 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2023

CORAM :

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

AND

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

W.P.No.27698 of 2023

1.Dr.G.Raja Ramanan

2.Sindhu Ragavi

.. Petitioners

Vs

1.The Regional Manager,
Reserve Bank of India,
Fort St. Glacis,
Chennai.

2.The Banking Ombudsman,
Reserve Bank of India,
Fort St. Glacis,
Chennai.

3.The Assistant General Manager,
Bank of India,
No.120(Old No.174) Luz Church Road,
Mylapore, Chennai-600 004.

.. 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 possession notice by the third respondent dated 5.9.2023 issued under Section 13(C) under SARFAESI Act and quash the same.



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For the Petitioners : Ms.V.Mahathi Chari

ORDER

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

We have heard Ms.V.Mahathi Chari, learned counsel for the petitioner.

2. The petitioners are challenging the notice issued under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, the "*Act of 2002*"). The remedy is available against the notice issued under Section 13(4) before the Debts Recovery Tribunal under Section 17 of the Act of 2002.

3. In the light of the alternate remedy available, we are not inclined to entertain the present writ petition.

4. The writ petition is disposed of with liberty to avail the alternate remedy as may be permissible under law. There will be



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no order as to costs. Consequently, W.M.P.No.27186 of 2023 is closed.

W.M.P.No.27182 of 2023 filed to permit the petitioners to file a single writ petition stands allowed and disposed of.

(S.V.G., CJ.)

(P.D.A., J.)

25.09.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

- 1.The Regional Manager,
Reserve Bank of India,
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Chennai.
- 2.The Banking Ombudsman,
Reserve Bank of India,
Fort St. Glacis,
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- 3.The Assistant General Manager,
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THE HON'BLE CHIEF JUSTICE
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