



W.P.(MD).No.10338 of 2010

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.12.2023

CORAM

**THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD).No.10338 of 2010
and
M.P.(MD).No.1 of 2010

Kalian (Died)

1.K.Sridhar

2.K.Prasath Kumar

3.K.Jeyasuganthi

.. Petitioners

*(Petitioners 1 to 3 are substituted vide Court order dated 21.11.2023 in
W.M.P.(MD).No.4181 of 2019 and W.P.(MD).No.10338 of 2010)*

Vs.

1.The Authorized Officer,
Indian Overseas Bank,
2/67, College Road,
Subramaniapuram, Regional Office,
Karaikudi.

2.The Branch Manager,
Mathurapuri Branch,
Thuraiyur Extension,
Trichy.

.. Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorari, calling for the records pertaining to the possession notice dated 03.08.2010 on the file of the 1st respondent in respect of the Plot No.26, S.No.194/7 and 194/8, Venkateshapuram Village, Madurapuri, Thuraiyur Taluk, Trichy District and quash the same.

For Petitioner : Mr.P.R.Prithiviraj
For Respondents : Mr.R.Pondivel
Standing Counsel

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The possession notice dated 03.08.2010 issued by the Authorized Officer of Indian Overseas Bank is sought to be quashed in the present Writ proceedings.

2. Actions were initiated under the SARFAESI Act and therefore, the petitioners have to approach the jurisdictional Debt Recovery Tribunal for seeking appropriate remedy. The Writ Petition being not maintainable, we grant 15 days' time to the petitioners to approach the Debt Recovery Tribunal.



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3. With the above liberty, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

(S.M.S.,J.) (L.V.G.,J.)
18.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



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and
L.VICTORIA GOWRI,J.

Lm

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