



W.P.(MD) No.5188 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.5188 of 2023
and
W.M.P.(MD) No.4877 of 2023**

N.Sumathi

... Petitioner

-vs-

1.M/s.Bank of Baroda
rep.through its Authorized Officer
Backialakshmi
Pacheri Branch
1/76, Sivagangai Main Road
Pacheri Village, Kaloorani P.O.
Sivagangai Taluk, Sivagangai District

2.M/s.Krish Electronic Inc.
Prop.K.Venkatesan
B1, Kings Court, Vaibow Apartments
Balaji Street, Gandhi Nagar
Madurai-625 020

3.K.Venkatesan

4.K.Sasikumar

5.Nagalatha

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of declaration declaring the measures taken by the first respondent under sub-section (1) & (2) of section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in respect of the property in Door No.2/121 A in Survey No.494/6 (old Survey No.99) in Patta No.721, extent of land 3325 Sq.FSt. in Patcheri Village, Sivagangai Taluk, Sivagangai District, as ultra vires of the said Act and Security Interest and (Enforcement) Rules, 2002 and illegal.

For Petitioner : Ms.G.Dhanalakshmi

For Respondents : Mr.P.Pethu Rajesh, Standing Counsel

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

The facts disclose that the petitioner has been propped up by the borrower only to delay the sale proceedings. The borrower has already approached this Court thrice and this Court has passed conditional orders. None of the conditional orders have been complied with by the borrower. Hence, we do not see any merit in this writ petition.



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2. Accordingly, the writ petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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