



W.P(MD)No.11561 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.05.2023

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.11561 of 2023

and

W.M.P.(MD).No.10050 of 2023

Chandrasekaran

... Petitioner

Vs.

1.The Authorized Officer,
City Union Bank Ltd.,
No.24-B, Ghandhi Nagar,
Kumbakonam 612 001.

2.The Branch Manager,
City Union Bank Ltd.,
S.S.Colony Branch,
No.1, Kannadasan Main Street,
S.S.Colony, Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the impugned order symbolic possession notice dated 28.04.2023 issued by the first respondent Bank under Section 13(4) of SARFAESI Act, R/W Rule 3 of the security interest (Enforcement) Rules, 2002 to the petitioner and quash the same.



W.P(MD)No.11561 of 2023

For Petitioner :Mr.J.Pandi Dorai
For Respondents :Mr.N.Dilip Kumar

ORDER

Heard the learned counsel appearing on either side.

2. The petitioner questions the impugned possession notice issued by the secured creditor. The petitioner is very well having an alternate remedy before the DRT.

3. Granting liberty to the petitioner to move the jurisdictional DRT, this writ petition is dismissed. We make it clear that we have not gone into the merits of the matter. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S.,J.] [S.S.Y.,J.]
10.05.2023

Index :Yes/No
Internet :Yes/No
NCC :Yes/No
Vsm/Sbn



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