



W.P(MD)No.11746 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.11746 of 2023

and

W.M.P.(MD)No.10179 of 2023

1.S.Maria Ruby Silviya

2.P.Jesu

... Petitioners

Vs.

The Branch Manager,
South Indian Bank,
Tuticorin Branch,
Office at 40, 41, Pereira Street,
Tuticorin District – 628 001.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to calling for the records of the respondent bank under the proceedings bearing No.RO/MDU/SAR/07/23-24 dated 17.04.2023 issued under Section 13(2) of SARFAESI Act 2002 in respect of the property comprised in S.No.14/1A1(Part) Corporation Ward 17, East Alangarathattu Area, Thoothukudi Taluk, Thoothukudi District measuring 1301.17 sq.ft (2.987 cent) quash the same and consequently



W.P(MD)No.11746 of 2023

directing the respondent to enable the petitioner to pay the monthly installments continuously under the housing loan Account No.0090655000000616.

For Petitioners : Mr.M.Ponniah

ORDER

Heard the learned counsel for the writ petitioners.

2.The petitioners have moved this Court at the stage of notice issued under Section 13(2) of SARFAESI Act, 2002. It is well settled that at this stage the rights of the petitioners have not been affected.

3.Leaving open all the contentions and rights of the writ petitioners, this writ petition is disposed of. No 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
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W.P(MD)No.11746 of 2023



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W.P(MD)No.11746 of 2023

G.R.SWAMINATHAN, J.

AND

S.SRIMATHY, J.

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W.P(MD)No.11746 of 2023

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