



W.P.(MD).No.12565 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.05.2023

CORAM:

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
and
THE HONOURABLE MS.JUSTICE P.T.ASHA**

**W.P.(MD).No.12565 of 2023
and
W.M.P.(MD).No.10621 of 2023**

Paulpandi

... Petitioner

Vs.

The Authorised Officer,
Indian Bank,
Alangulam Branch,
580A, Ambasamudram
Tenkasi Main Road,
Ambasamudram Taluk,
Tenkasi District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to calling for the entire records pertaining to the impugned Sale Notice dated 16.05.2023 issued by the respondent and quash the same as illegal and consequently direct the respondent bank to regularize the petitioner's account after receiving the entire outstanding default EMIs.



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For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondent : Mr.R.Pandivel

Standing counsel

ORDER

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

This writ petition has been filed challenging the impugned Sale Notice dated 16.05.2023, issued by the respondent and to quash the same and consequently direct the respondent Bank to regularise the petitioner's account after receiving the entire outstanding default EMIs.

2. The appropriate remedy for the petitioner to challenge the sale notice would be before the Debt Recovery Tribunal and hence, the present writ petition is not maintainable. Accordingly, this Writ Petition stands dismissed with liberty to the petitioner to work out the remedy before the appropriate forum. No costs. Consequently, the connected Miscellaneous Petition is closed.

**[M.S.R.J.] [P.T.A.J.,]
24.05.2023**

akv



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M.S.RAMESH,J.
and
P.T.ASHA,J.

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