



W.P(MD)No.14639 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 31.08.2023

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE C.KUMARAPPAN**

W.P(MD)No.14639 of 2023
and
W.M.P(MD)No.12364 of 2023

K.Muthaiah

... Petitioner

Vs.

1.The Authorized Signatory,
Reliance Asset Reconstruction Company,
New No.824/1, Old No.398,
RNG Towers, 2nd Floor,
Anna Salai, Nandanam,
Chennai – 600 035.

2.The Branch Manager,
Indian Bank,
Central Street, Ukkirankottai,
Tirunelveli District.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus, directing the respondents to disclose the sale price of the secured asset of the petitioner and release the documents after collecting the sale price from the petitioner and consequently, defer all



W.P(MD)No.14639 of 2023

other proceedings under the SARFAESI Act based on the Right to Information Act, reply dated 12.08.2022 given by the second respondent within a period stipulated by this Court.

For Petitioner : Mr.T.Ramasamy
For R-2 : Mr.R.Pandivel,
Standing Counsel

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

Heard Mr.T.Ramasamy, learned counsel for the petitioner and Mr.R.Pandivel, learned Standing Counsel for the bank.

2. The petitioner admittedly is a borrower of the second respondent and the second respondent assigned the loan of the petitioner to the first respondent.

3. The learned counsel for the petitioner submits that the said assignment is without the knowledge of the petitioner. The second respondent is required to declare the sum, for which, the loan has been assigned to the first respondent.



W.P(MD)No.14639 of 2023

4. The petitioner is not concerned with the same. The second respondent has assigned the loan to the first respondent and that would not affect the liability of the petitioner.

5. If any action is taken by the first respondent, it is for the petitioner to assail the same, as may be permissible under law.

6. With the above observations, the writ petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(C.K., J.)

31.08.2023

NCC : Yes/No
Index : Yes/No
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W.P(MD)No.14639 of 2023

THE HON'BLE CHIEF JUSTICE
and
C.KUMARAPPAN, J.

PM

W.P.(MD)No.14639 of 2023

31.08.2023