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**W.P.(MD) No.15876 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 20.12.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM  
and  
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**W.P.(MD) No.15876 of 2023**

**and**

**W.M.P.(MD) Nos.13293, 13295 & 22507 of 2023**

Ratchana Rasi

... Petitioner

-vs-

1.Bank of Baroda  
rep.by its the Authorized Officer

2.B.Backialakshmi  
Chief Manager  
Bank of Baroad

3.K.Ramamoorthy  
[R3 is impleaded vide court order  
dated 04.07.2023 in W.M.P.(MD) No.  
13555 of 2023]

... Respondents



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**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records of the impugned order passed by the first respondent bank email dated 27.06.2023 and quash the same and consequently directing the first respondent to grant sufficient time to pay the remaining amount to the property ID No.BARB60282023006, under Rule 9(4) of the Security Interest (Enforcement) Rules 2002

For Petitioner : Mr.Arun Swaminathan

For Respondents : Mr.P.Pethurajesh for R1 & R2  
No appearance for R3

### **ORDER**

**[Order of the Court was made by S.M.SUBRAMANIAM, J.]**

The order dated 27.06.2023, passed by the respondent – Bank, is sought to be quashed in the present writ petition.

**2.** The writ petition is not entertainable, since action was initiated under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and if aggrieved, the petitioner is at liberty to approach the jurisdictional Debts Recovery Tribunal for redressal of



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his grievance. Granting fifteen days time from the date of receipt of a copy of this order to the petitioner to approach the jurisdictional Debts Recovery Tribunal, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

**[S.M.S., J.]**

**[V.L.N., J.]**

**20.12.2023**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No

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**S.M.SUBRAMANIAM, J.**  
**and**  
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