



W.P.(MD).No.19215 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.12.2023

CORAM

**THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD).No.19215 of 2020
and
W.M.P.(MD).Nos.16053 to 16055 of 2020

D.Indira

.. Petitioner

Vs.

1.The Authorized Officer,
Indian Overseas Bank, Regional Office,
Karaikudi,
No.661/1 South Street,
Subramaniapuram, Karaikudi,
Sivagangai District.

2.The Regional Manager,
Indian Overseas Bank,
Karaikudi,
No.661/1 South Street,
Subramaniapuram, Karaikudi,
Sivagangai District.

3.The Branch Manager,
Indian Overseas Bank, Avudaiyarkovil,
Pudukkottai District.



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4.Sivavadivel

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, calling for the records relating to E-Auction sale notice for sale of immovable property passed by the 1st respondent in his proceedings dated 03.12.2020 and quash the same and consequently forbearing the 1st to 3rd respondents from initiating any E-Auction proceeding regarding the petitioner's property in S.F.No. 257/2A2A in old S.F.Nos.287/2 with an extent of 0.02.81 Ares in Avudaiyarkovil Village, Avudaiyarkovil Taluk, Pudukkottai District through the proceedings dated 03.12.2020.

For Petitioner : Mr.R.Paranjothi

For R-1 to R-3 : Mr.N.Dilip Kumar

For R-4 : No appearance

ORDER

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

The E-Auction sale notice for sale of immovable properties under the SARFAESI Act issued in proceedings dated 03.12.2020 is sought to be quashed in the present Writ Petition.



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2. The Writ Petition is not entertainable, since action was initiated under the SARFAESI Act and if aggrieved, the petitioner is at liberty to approach the Debt Recovery Tribunal for redressal of her remedy. Granting 15 days' time to the petitioner to approach the Debt Recovery Tribunal, the Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S.,J.) (L.V.G.,J.)
18.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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and
L.VICTORIA GOWRI,J.

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