



W.P.(MD)No.20169 of 2022

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

DATED : 30.11.2023

CORAM:

THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

and

THE HONOURABLE Mrs.JUSTICE L.VICTORIA GOWRI

W.P.(MD) No.20169 of 2022
and WMP(MD) Nos.14665 and 14666 of 2022

Veldurai,

... Petitioner

Vs

1. The District Collector,
Trichy District, Trichy..

2. The Authorized Officer,,
M/s.Religare Housing Development
Finance Corporation Ltd., 9th Floor
Paras Twin Towers, Tower-B, Sector-54,
Golf Course Road, Gurgaon-122 002..

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating the impugned summon issued by the 1st respondent vide Na.Ka. G5 / 14714 / 2018 dated 13-04-2022 and to quash the same as illegal.

For Petitioner : Mr.M.Sankar



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For Respondent : Mr.T.Amjad Khan for R1
Government Advocate
Mr.S.Vellaichamy for R2

ORDER

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

We have heard the learned counsel for the petitioner, the learned Government Advocate for the respondent No.1 and the learned counsel for the respondent No.2.

2. The petitioner is challenging notice under Section 14 of the SARFAESI Act. This Court under its interim order dated 29.08.2022 directed the petitioner to deposit Rs.36,00,000/- in four monthly equal instalments commencing from 29.09.2022.

3. The learned counsel for the petitioner submits that the petitioner has complied with the said order and deposited Rs. 36,00,000/- with the bank in four equal instalments. The liability



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as per the bank on the date of notice was Rs.1.45 Crores.

4. It appears that the challenge is only to the summons issued by the District Magistrate in an application filed under Section 14 of the SARFAESI Act. The order is not passed.

5. The petitioner and the bank may appear before the District Magistrate on 21st December, 2023 and put forth their case. If any orders are passed, the parties can challenge the same for appropriate proceedings. The order under Section 14 can be challenged by the borrower/guarantor before the Debt Recovery Tribunal.

4. The writ petition stands disposed of accordingly. However, there is no order as to costs. Consequently connected Miscellaneous Petitions are closed.



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[S.V.G., .C.J.]

[L.V.G., J.]

01.12.2023

Index : Yes / No
Neutral Citation : Yes / No

RR

To:

1. The District Collector,
Trichy District, Trichy..



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THE HONOURABLE CHIEF JUSTICE
and
L.VICTORIA GOWRI, J.

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