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W.P.(MD) No.24964 of 2022

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.24964 of 2022
and
W.M.P.(MD) No.19073 of 2022**

T.Sivakumar

... Petitioner

-VS-

The Authorised Officer
Equitas Small Finance Bank Limited
(Previously known as Equitas Finance Ltd.)
4th Floor, Phase II, No.769, Spencer Plaza
Anna Salai, Chennai-600 002

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records pertaining to the impugned sale notice issued by the respondent dated 23.09.2022 and to quash the same as illegal and unconstitutional and consequently forbearing the respondent from in any way dispossessing the petitioner from his property



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comprised in Natham Survey No.485/1B1 of an extent of 19825 sq.ft., new Survey No.1373/2 of an extent of 0.10.00 ares situated at Anna Street, A.Kalaiyanputhur Village, Palani Taluk, Dindigul District.

For Petitioner : Mr.C.Gangai Amaran

For Respondent : Mr.S.Pon Senthil Kumaran

ORDER

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

The sale notice, dated 23.09.2022, issued by the respondent – Financial Institution, is under challenge in this writ petition.

2. Learned counsel appearing for the respondent brought to our notice that public auction had been conducted, sale had been completed and sale certificate had also been issued to the auction purchaser, under the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.



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3. In view of the above submission, if at all the petitioner is aggrieved from and out of the sale occurred, he is at liberty to approach the jurisdictional Debts Recovery Tribunal, within a period of fifteen days from the date of receipt of a copy of this order, for redressal of his grievance in the manner known to law.

4. Accordingly, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[V.L.N., J.]

20.12.2023

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

Note:

The Registry is directed to return the original sale notice, dated 23.09.2022 to the learned counsel for the petitioner, after obtaining due acknowledgement and retaining a copy of the same for file.

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