



NO.8, DR.AMBEDKAR ROAD,

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Friday, the Twenty Second day of September Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR
and

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

W.M.P(MD)Nos.19478 and 19481 of 2023
in
W.P(MD)Nos.23272 and 23273 of 2023

R.RAMAR

... PETITIONER/PETITIONER
IN BOTH CASES

Vs

1 THE DEPUTY DIRECTOR
MINISTRY OF FINANCE,
GOVERNMENT OF INDIA,
DEPARTMENT OF FINANCIAL SERVICES,
3RD FLOOR, JEEVAN DEEP BUILDING,
PARLIAMENT STREET,
NEW DELHI.

2 THE SECRETARY
MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES,
GOVERNMENT OF INDIA,
UDYOG BHAWAN, RAFI MARG,
NEW DELHI-110011.

3 THE DISTRICT COLLECTOR
TRICHY DISTRICT,
TRICHY.



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4 THE BRANCH MANAGER
STATE BANK OF INDIA,
SME BRANCH, THUVAKUDI,
TRICHY-620015.

5 THE AUTHORIZED OFFICER
STATE BANK OF INDIA,
STRESSED ASSETS
RECOVERY BRANCH (ISARB) BRANCH,
VINAYAGANAGAR BRANCH (UPSTAIRS),
NO.8, DR.AMBEDKAR ROAD,
MADURAI-625020.

... RESPONDENTS/RESPONDENTS
IN BOTH CASES

Prayer in WMP(MD). 19478/ 2023 :

Writ Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to dispense with the production of the original impugned E-Auction Notice dated 24.08.2023 issued by 5th Respondent for the present.

Prayer in WP(MD). 23272/ 2023 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned E-Auction Notice dated 24.08.2023 issued by 5th Respondent and to quash the same and consequently direct the Respondents 4 and 5 not to proceed as against the Petitioners unit and properties which has been given as security under SARFAESI Act till the Revival and Rehabilitation process completed by the Respondents 1 and 2 and thus render justice.

Prayer in WMP(MD). 19481/ 2023 :

To dispense with the production of the original impugned E-Auction Notice dated 30.08.2023 issued by 5th Respondent for the present and thus render justice.

Prayer in WP(MD). 23273/ 2023 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned E-Auction Notice dated 30.08.2023 issued by 5th Respondent and to quash the same and consequently direct the Respondents 4 and 5 not to proceed as



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against the Petitioners unit and properties which has been given as security under SARFAESI Act till the Revival and Rehabilitation process completed by the Respondents 1 and 2 and thus render justice.

ORDER : These Writ Miscellaneous petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of MR.M.R.SREENIVASAN, Advocate for the petitioner in both cases and of MR.J.ASHOK, Additional Government Pleader for the 3rd Respondent in both cases and of MR.C.DEEPAK, Advocate for the Respondents 4 & 5 in both cases, while admitting the Writ Petitions, the court made the following order:-

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

W.M.P(MD) No.19478 of 2023 is filed to dispense with the production of the original impugned E-auction notice, dated 24.08.2023, issued by the fifth respondent, for the present.

2.W.M.P(MD) No.19481 of 2023 is filed to dispense with the production of the original impugned E-auction notice, dated 30.08.2023, issued by the fifth respondent, for the present.

3.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4.For the reasons stated in the accompanying affidavits and on being satisfied



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with the same, these Petitions are ordered and the production of original impugned E-auction notices, dated 24.08.2023 and 30.08.2023, issued by the fifth respondent, are dispensed with, for the present.

sd/-
22/09/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSN

TO

1 THE DEPUTY DIRECTOR
MINISTRY OF FINANCE,
GOVERNMENT OF INDIA,
DEPARTMENT OF FINANCIAL SERVICES,
3RD FLOOR, JEEVAN DEEP BUILDING,
PARLIAMENT STREET,
NEW DELHI.

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MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES,
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NO.8, DR.AMBEDKAR ROAD,
MADURAI-625020.

ORDER
IN
W.M.P(MD)Nos.19478 and 19481 of 2023
in
W.P(MD)Nos.23272 and 23273 of 2023
Date :22/09/2023

PKP/GB/SAR- /26.09.2023/ 5P/ 6C

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