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W.P.(MD) No.25231 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.25231 of 2022
and
W.M.P.(MD) No.19316 of 2022**

R.Asokan

... Petitioner

-VS-

1.The Authorised Officer
Union Bank of India
Kalayarkoil Branch
Annai Complex
Arulsamy Building
Madurai Thondi Road
Kalayarkoil
Sivagangai District

2.The Branch Manager
Union Bank of India
Kalayarkoil Branch
Annai Complex
Arulsamy Building
Kalayarkoil
Sivagangai District

... 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 in CrI.M.P.No.3359 of 2022, dated 05.08.2022 and quash the same as illegal.

For Petitioner : Mr.A.Shajahan

For Respondents : Mr.N.Dilip Kumar, Standing Counsel

ORDER

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

The order, dated 05.08.2022, passed in CrI.M.P.No.3359 of 2022, by the Chief Judicial Magistrate, Sivagangai, is sought to be quashed in the present writ petition.

2. An order passed under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for brevity, “the SARFAESI Act”) is assailable by an appeal under Section 17 of the SARFAESI Act before the jurisdictional Debts Recovery Tribunal. Granting fifteen days time from the date of receipt of a copy of this



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order to the petitioner to approach the jurisdictional Debts Recovery Tribunal, the writ petition stands dismissed. 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

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To:
The Chief Judicial Magistrate,
Sivagangai.



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