



W.P.(MD)No.24202 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **05.10.2023**

CORAM

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**  
AND  
THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD)No.24202 of 2023  
and W.M.P.(MD) No.20387 of 2023

S.Alexander

...Petitioner

-Vs.-

1.The District Collector,  
Theni District,  
Theni.

2.The Superintendent of Police,  
Theni District,  
Theni.

3.The Special Tahsildar (Stamps),  
Theni,  
Office at 104, Old Ramanathapuram Collector Office,  
Madurai.

4.The Authorized Officer,  
City Union Bank Ltd.,  
Ward No.21, 79-79A, Velappara Koil Street,  
Cumbum, Theni District.

...Respondents

PRAYER:- Writ Petition filed under Article 226 of Constitution of India,  
praying for issuance of a Writ of Certiorari, calling for records relating to



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the impugned order passed by the 3<sup>rd</sup> Respondent in Na.Ka.No. 807/2020/E dated 15.09.2023 and quash the same.

For Petitioner : Mr.A.Karthik

For Respondents : Mr.N.Satheesh Kumar  
Additional Government Pleader  
for R1 to R3

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### **ORDER**

(Order of the Court was made by **V.LAKSHMINARAYANAN, J.**)

The consequential proceedings issued by the Tahsildar under Section 14 of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 is challenged before us.

2. The remedy for the petitioner is to file an appeal under Section 17 of SARFAESI Act before the Debts Recovery Tribunal. When an effective alternative remedy is available and when the Tribunal is also functioning as on today, we are not inclined to interfere with the order passed by the third respondent in this Writ Petition.

3. In view of the same, giving 15 days time to the petitioner to move the Debts Recovery Tribunal, this Writ Petition is dismissed. No



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costs. Consequently, connected Writ Miscellaneous Petition is closed.

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**[S.M.S.J.,] & [V.L.N.J.,]**  
**05.10.2023**

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

To

- 1.The District Collector,  
Theni District,  
Theni.
- 2.The Superintendent of Police,  
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**S.M.SUBRAMANIAM, J.**  
**AND**  
**V. LAKSHMINARAYANAN, J.**

SJ

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