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W.P.(MD) No.26872 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.26872 of 2022
and
W.M.P.(MD) No.21053 of 2022**

A.Sadham Hussain

... Petitioner

-vs-

1.The Authorised Officer
HDB Financial Services Limited
2 and 4 Floor
Hamalatha Mansion
7-1-397/111 and 112, SR Nagar
Hyderabad-500 038
Telangana State

2.The Authorised Officer
HDB Financial Services Limited
No.2, Third Floor, M.S.Tower
Convent Road
(Near DJ Automobiles)
Cantonment
Trichy-620 001

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari calling for records relating to the impugned possession notice dated 29.11.2021, of the first respondent and quash the same.

For Petitioner : Mr.M.Sheik Abdullah

For Respondents : No appearance

ORDER

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

The possession notice, dated 29.11.2021 issued by the respondent – Bank, is sought to be quashed in the present writ petition.

2. The writ petition is not entertainable, since action was initiated under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and if aggrieved, the petitioner is at liberty to approach the jurisdictional Debts Recovery Tribunal for redressal of his grievance. Granting fifteen days time from the date of receipt of a copy of



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this 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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V.LAKSHMINARAYANAN, J.

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