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W.P.(MD) No.26897 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.26897 of 2022
and
W.M.P.(MD) No.21069 of 2022**

E.Senthilkumar

... Petitioner

-VS-

The Authorised Officer
Bank of Baroda
Regional Office Stressed
Assets Recovery Branch
ROSARB
Plot No.14, Door No.3, 4 & 5
Sakthi Velammal 10th Street
SS Colony
Madurai-625 016

... Respondent



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari calling for the records pertaining to the impugned sale notice dated 01.11.2022, issued by the respondent Bank and quash the same as illegal.

For Petitioner : Mr.N.Ganga Sapapathy

For Respondent : Mr.B.Rajesh Saravanan

ORDER

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

The sale notice, dated 01.11.2022, 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

Note:

The Registry is directed to return the original sale notice, dated 01.11.2022 to the learned counsel for the petitioner, after obtaining due acknowledgement and retaining a copy of the same for file.

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S.M.SUBRAMANIAM, J.
and
V.LAKSHMINARAYANAN, J.

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