



W.P.No.8948 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.8948 of 2017
and W.M.P.No.9861 of 2017

R.Rajagopal

.. Petitioner

Vs

- 1.The Union of India,
rep. by its Secretary,
Ministry of Finance,
Department of Economic Affairs,
New Delhi-110 001.
- 2.The Chief Manager & Authorised Officer,
Bank of India,
Pullambadi Branch,
Thirumazhapadi Road, Pullambadi,
Lalgudi Taluk,
Trichy District.
- 3.The Chief Manager & Authorised officer,
Bank of India, Assets Recovery Department,
Star House, No.224, Oppanakara Street,
Coimbatore-641 001.

.. Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of declaration declaring Rule 8(1) of Rule 2002 of SARFAESI Act as unconstitutional and consequently to declare the possession take on 06.03.2017 by the third respondent under Section 13(4) of the SARFAESI Act read with Rule 8 as null and void in respect of the petitioner's landed property situated at No.4/171A, in Survey No.285/9A, New Survey No.119/9A2, Venkatachalapuram Village, Pullambadi Post, Lalgudi Taluk ad measuring 4578 sq. ft.

For Petitioner : No appearance

For Respondents : Mr.T.L.Thirumalaisamy
for respondent No.1

: Mr.F.B.Benjamin George
for respondent Nos.2 and 3

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

On 6th November, 2024, the following order was passed:

“Counsel for petitioner files a memo dated 6th November, 2024 seeking discharge for want of instructions. In the memo, it is stated that a notice has been issued to petitioner, which has been received by petitioner on 1st November, 2024. Since we are on 6th



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November, 2024, we shall give one week time to petitioner to instruct another advocate.

2. Stand over to 13.11.2024.

3. Registry to delete the name of Shri M.Vijay Anand from the cause-list.”

2. Even today nobody appeared for petitioner.

3. Petition is dismissed. There shall be no order as to costs.

Consequently, interim application is also dismissed.

(K.R.SHRIRAM, C.J.)

(SENTHILKUMAR RAMAMOORTHY,J.)

13.11.2024

Index : Yes/No

NC : Yes/No

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To:

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- 1.The Secretary,
Union of India,
Ministry of Finance,
Department of Economic Affairs,
New Delhi-110 001.
- 2.The Chief Manager & Authorised Officer,
Bank of India,
Pullambadi Branch,
Thirumazhapadi Road, Pullambadi,
Lalgudi Taluk,
Trichy District.
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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

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13.11.2024