



W.P.(MD) No.1653 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1653 of 2024
and W.M.P.(MD)No.1689 of 2024

Mrs.R.Sasiendra

... Petitioner

Vs.

1.M/s.Karnataka Bank Limited,
Represented by its Authorised Officer,
D.No.324, Ground Floor,
Thambu Chetty Street,
Chennai – 600001.

2.The Branch Manager,
M/s. Karnataka Bank Limited,
No.72, Ground Floor,
7th Cross Street,
Thillai Nagar,
Trichy - 620008.
Trichy District.

... Respondents



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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 relating to the impugned sale notice dated 09.01.2024 issued by the 1st respondent and quash the same

For Petitioner : Mr.B.Rajesh Saravanan

For Respondents : Mr.N.S.Karthikeyan,
Standing Counsel.

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Challenging the sale notice dated 09.01.2024 issued by the 1st respondent, the petitioner has filed this Writ Petition.

2. This Writ Petition is taken up for final disposal at the admission stage itself.

3. At the time of hearing, the learned counsel appearing for the respondents submitted that the petitioner's husband has earlier filed a Writ Petition before this Court in W.P.(MD)No.4710 of 2023 and this Court by order



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dated 24.01.2023, disposed of the Writ Petition by directing the petitioner to pay the due amount by installments. However, without complying the said order, the petitioner has filed this Writ Petition. Hence, this Writ Petition is liable to be dismissed.

4. Considering the facts and circumstances of the case, this Court is not inclined to entertain this Writ Petition and the same is liable to be dismissed.

5. Accordingly, this Writ Petition is dismissed with liberty to the petitioner to work out her remedy before the Debts Recovery Tribunal, if she is aggrieved by the subsequent action taken by the respondents under the SARFAESI Act. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

vsm
NCC : Yes / No
Index : Yes / No

[D.K.K., J.] [R.V., J.]
29.01.2024



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D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

vsm

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