



W.P.(MD) No.2055 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD) No.2055 of 2024
and W.M.P.(MD) Nos.2068 and 2069 of 2024**

M/s.K.K.O.Mohamed Ibrahim Educational and Charitable Trust,
Represented by its Managing Trustee, Dr.M.Anwar Kabir,
Annai College Arts and Science Campus,
Kovilacheri, Kumbakonam,
Thanjavur – 612 503.

... Petitioner

-VS-

The Authorized Officer,
City Union Bank Ltd.,
Credit Recovery and Management Department,
“NARAYANA”, Administrative Office,
No.24-B, Gandhi Nagar,
Kumbakonam – 612 001,
Thanjavur District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, to call for the entire records relating to the impugned possession notice dated 18.01.2024 on the file of Respondent and quash the same.



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For Petitioner : Mr.R.Maheswaran

For Respondent : Ms.Anantha Gomathy,
Standing Counsel

ORDER

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

This Writ Petition has been filed challenging the impugned possession notice dated 18.01.2024, issued by the respondent Bank.

2. According to the learned Standing counsel for the respondent, the loan account of the appellant has been declared as NPA for the reason that they have not come forward to renew the loan account. Therefore, the respondent has initiated proceedings under SARFAESI Act and possession notice has been served upon the petitioner and that is under challenge in this Writ Petition.

3. Even according to the petitioner, still physical possession has not been taken. Hence, the petitioner has approached this Court at a premature stage.



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Therefore, the Writ Petition is dismissed. If the petitioner has any grievance, they can approach the respondent bank. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

[D.K.K., J.] [R.V., J.]
01.02.2024

Index : Yes / No
Internet : Yes / No
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