



W.P.(MD) No.2812 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.2812 of 2024

C.Prameela

... Petitioner

-Vs-

The Authorized Officer,
Under SAFAESI Act, 2002,
Indian Bank, Ponnagar Branch,
Tiruchirappalli.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 28.11.2023 requesting to keep the SARFAESI Act proceedings pursuant to the possession notice dated 08.11.2023 based on void sale deeds, until the final decision of the civil suit in O.S.No.67 of 2022 on the file of the III Additional District Court, Tiruchirappalli.

For Petitioner : Ms.T.Banumathy



W.P.(MD) No.2812 of 2024

ORDER

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

This Writ Petition is filed seeking for a direction to the respondent to consider the petitioner's representation dated 28.11.2023 requesting to keep the SARFAESI Act proceedings pursuant to the possession notice dated 08.11.2023 based on void sale deeds, until the final decision of the civil suit in O.S.No.67 of 2022 on the file of the III Additional District Court, Tiruchirappalli.

2.We are of the view that the petitioner has alternative remedy before the jurisdictional Debts Recovery Tribunal and without exhausting the said remedy, straight away filed this Writ Petition, which cannot be entertainable by this Court. Therefore, this Writ Petition is dismissed with liberty to the petitioner to approach the jurisdictional Debts Recovery Tribunal, if she is aggrieved. No costs.

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

09.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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W.P.(MD) No.2812 of 2024



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W.P.(MD) No.2812 of 2024

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AND

R.VIJAYAKUMAR, J.

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