



W.P.(MD)No.28947 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.28947 of 2024

and

W.M.P.(MD)No.24517 of 2024

Gunaseelam Ramalingam

: Petitioner

Vs.

1.AU Small Finance Bank Ltd.,

Head Office,

No.835/39, 5th Floor,

Bren Mercury Kaikondanahalli,

Sarjapur Main Road,

Bengaluru – 560 035.

2.AU Small Finance Bank Ltd.,

Represented by its Chairman,

19-A, Dhuleswar Garden, Ajmer Road,

Jaipur,

Rajasthan – 302 001.



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3.AU Small Finance Bank Ltd.,

Represented by Authorized Officer,

Thuthukudi Branch,

No.1844 D/11, 1st Floor,

Polepettai West, Sub Registrar Office – opp,

Thoothukudi – 628 002.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, to call for the records relating to the impugned possession notice dated 13.11.2024 issued by the third respondent and quash the same.

For Petitioner

: Mr.V.Balasubramanian

O R D E R

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

When an alternate and efficacious remedy is available to the petitioner before the Debt Recovery Tribunal challenging the impugned possession notice under the SARFAESI Act, the writ petition cannot be maintained under Article 226 of the Constitution of India. Accordingly, the Writ Petition stands dismissed, with liberty to the petitioner to approach the Debts Recovery Tribunal



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within a period of one [1] week from the date of receipt of a copy of this order. Till such time, no coercive steps shall be taken by the respondents. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

[M.S.R.,J.] & [A.D.M.C.,J.]
04.12.2024

Neutral Citation : Yes/No
Index : Yes/No
Internet : Yes/No
MR



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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

MR

ORDER MADE IN
W.P.(MD)No.28947 of 2024

04.12.2024