



WEB COPY



W.P.No.2890 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2025

CORAM :

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

AND

THE HON'BLE MR. JUSTICE SENTHILKUMARAM MOORTHY

W.P.No.2890 of 2024

and W.M.P.Nos.3134 and 3135 of 2024

V. Tamilselvan

... Petitioner

-VS-

The Union Bank of India
Rep. by its Authorised Officer,
Moovallur Branch, Door No.1-16,
K.M.Nagar, Moovalur, Mayiladuthurai 609 003.

... Respondent

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari mandamus to call for the records on the file of the respondent dated 03.01.2024 issued under section 13(4) of the SARFAESI Act and quash the same and consequently direct the respondent to return the documents in respect of the immovable property situated in (i) R.S.No.492/3, 493/1, 496/10 no 11., Sozhiya Street, Sitharkadu Village, Mayiladuthurai, Nagapattinam District, (ii) Survey old No.T.S.No.33 pt, New T.S.No.33-1 and Old T.S.No.36 pt., New T.S.No.36-1 (iii) S.No.493/2.



W.P.No.2890 of 2024

WEB COPY

For Petitioner : Mrs.Selvi George

For Respondent : Ms.Jayachitra

* * * * *

ORDER

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

Petition challenges the notice dated 03.01.2024 issued under Section 13(4) of the SARFAESI Act and also seeks return of the documents pertaining to the immovable property.

2. After hearing the counsels for both the parties, without going into the details, by consent, the following order is passed:

a) Respondent would close the accounts and hand over the documents pertaining to the housing loan accounts mentioned against Sl.Nos.1 and 2 at para 9 of the petition. The account numbers read as under:

T.Saraswathi	-	188130100112065
V.Tamilselvan	-	188130100067978 and 188130100101102



W.P.No.2890 of 2024

WEB COPY

- b) Ms.Jayachitra, counsel for respondent/bank, states that documents will be handed over immediately upon petitioner approaching the bank. Statement accepted as an undertaking.
- c) In view thereof, Ms.Selvi George for petitioner states the petition can be disposed of.

Accordingly, the petition is disposed of. We clarify that we have not made any observation on the merits of the other pending loans. There shall be no order as to costs. Consequently, interim applications stand closed.

(K.R.SHRIRAM., CJ.)

(SENTHILKUMARRAMAMOORTHY, J.)

08.01.2025

Index : Yes/No
NC : Yes/No

sra



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W.P.No.2890 of 2024

THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

(sra)

To:

The Authorised Officer,
The Union Bank of India
Moovallur Branch, Door No.1-16,
K.M.Nagar, Moovalur, Mayiladuthurai 609 003.

W.P.No.2890 of 2024

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