



W.P.No.11224 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2025

CORAM

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

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

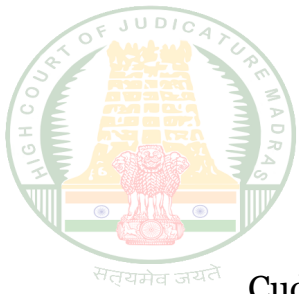
W.P.No.11224 of 2025
and W.M.P.Nos.12664 and 12666 of 2025

A.Geetha

.. Petitioner

-VS-

- 1.The Authorised Officer,
City Union Bank Limited,
No.101, Municipal Complex,
127, Pidari North Street,
Thenpathi, Sirkali Town and Taluk,
Mayiladuthurai District-609 110.
2. The Authorised Officer,
City Union Bank Limited,
Credit Recovery and Management Department,
Administrative Office,
No.24-B, Gandhi Nagar,
Kumbakonam,
Thanjavur District-612 001.
3. Saravanakumar
4. S.Rajasekar
5. The Joint-I Sub-Registrar,
Chidambaram,



W.P.No.11224 of 2025

Cuddalore District.

.. Respondents

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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration, declaring the sale conducted by the 1st respondent dated 29.11.2024 based on the re-tender cum auction sale notice under SARFAESI Act 2002, dated 07.11.2024 in respect of the property situated at Chidambaram Registration District, Chidambaram Town, East Street, Western Side in Ward No.5, Block No.2 and Bearing Door No.122 (Old No.49/1) T.S.No.86 Extent (T.S.No.86/3 (0.0125 sq.meter, T.S.No.87/2-0.0015 sq.meter, 1500 sq.ft) boundaries North of Sivaraj Theetchithar Property South of Gnanaskanda Theetchithar Property East of Sivaraj Theetchithar Property West of Keelaveedhi Measuring East West 3.2 meter plus 27.3 meter North-south 4.6 meter within the Boundaries a Three Storied Building as null and void and unconstitutional.

For Petitioner : Mr.C.Prabakaran

For Respondents : Ms.S.Anuradha Balaji
For RR 1 and 2
: Mr.V.Veeramani
Govt.Advocate
For R-5

* * * * *

ORDER

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

M/s.Anuradha Balaji undertakes to file vakalatnama on behalf of respondent Nos.1 and 2 within one week from today. Undertaking is accepted.



W.P.No.11224 of 2025

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2. When we informed counsel for petitioner that the remedy would lie in the Debts Recovery Tribunal, counsel says he has already approached Debts Recovery Tribunal and the Debts Recovery Tribunal passed an order. But that order is not challenged before us. Counsel says, the relief sought before the Debts Recovery Tribunal was something else and not the relief as sought here.

3. It is open to petitioner to seek the relief sought here before the Debts Recovery Tribunal and the Debts Recovery Tribunal may consider the same in accordance with law. We express no opinion.

Petition is dismissed. There shall be no order as to costs. Consequently, the interim applications also stand dismissed.

(K.R.SHRIRAM, C.J.)

(MOHAMMED SHAFFIQ, J.)

02.04.2025

Index : Yes/No
Neutral Citation : Yes/No



W.P.No.11224 of 2025

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W.P.No.11224 of 2025

The Hon'ble Chief Justice
and
Mohammed Shaffiq, J.

(sra)

To

1. The Authorised Officer,
City Union Bank Limited,
No.101, Municipal Complex,
127, Pidari North Street,
Thenpathi, Sirkali Town and Taluk,
Mayiladuthurai District-609 110.
2. The Authorised Officer,
City Union Bank Limited,
Credit Recovery and Management Department,
Administrative Office, No.24-B, Gandhi Nagar,
Kumbakonam, Thanjavur District-612 001.
3. The Joint-I Sub-Registrar,
Chidambaram, Cuddalore District.

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