



WEB COPY



WP No.35343 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,

CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.35343 of 2025

V.Kannan

: Petitioner

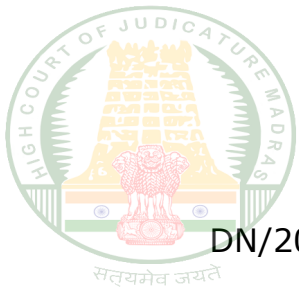
versus

1.Canara Bank,
rep. By its Authorised Officer & Chief Manager,
SME Perungudi Branch, No.130, 131,
Burma Colony,
Perungudi, Chennai 600 096

2.Canara Bank,
rep. By its Authorised Officer & Chief Manager,
Specialized ARM Branch-II, Chennai,
No.9 and 10,
Sir Thiyagaraya Road,
T.Nagar, Chennai 600 017

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned notice dated 12.02.2024 in Reference No.GREENOCARE ENGINEERING PVT LTD (GEPL)//SME PERUNGUDI/1/



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DN/2024 and to quash the same and direct the 1st respondent to formulate a Revival and Rehabilitation scheme for the MSME Unit Green O Care Engineering Pvt. Ltd. as per the Framework for Revival and Rehabilitation of Micro, Small and Medium Enterprises passed under the Micro, Small and Medium Enterprises Act, 2006.

For Petitioner : Mr.S.R.Raghunathan,
for Mr.K.V.Kartiksubramanian

For Respondents : Mrs.S.R.Sumathy,
Standing Counsel

ORDER

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

The challenge to the proceeding drawn under Section 13(2) of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 is made mainly on the ground that the proceeding has been initiated by wrongly declaring the account of the borrower as Non-Performing Asset, which according to the petitioner is in contravention of the provisions contained in Section 9 of the Micro, Small and Medium Enterprises Act.



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2. In our opinion, all these issues can be raised before the Debt Recovery Tribunal.

3. With the aforesaid liberty, the writ petition is dismissed. There will be no order as to costs. Consequently. WMP Nos.39560, 39588, 39591 and 39592 of 2025 are closed.

(MANINDRA MOHAN SHRIVASTAVA, C.J.) (G.ARUL MURUGAN, J.)
19.09.2025

Index : Yes/No
Neutral Citation : Yes/No
tar

To

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