



WEB COPY



W.P.No.47449 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.47449 of 2025

&

W.M.P.No.52975 of 2025

Sardarmal Kothari

..

Petitioner

Vs.

1. Punjab National Bank
Rep by its Authorized Officer
SAMB Chennai, 4th floor, PNB Towers
No. 46-49, Royapettah High Road
Chennai- 600 014.

2. The Liquidator
Kamachi Industries Limited
SPP Insolvency Professionals LLP
No. 27/9, Nivedh Vikas
Pankaja Mill Road, Puliyakulam
Coimbatore- 641 045.

3. Kamachi Industries Limited
Rep by its Director
306, Delat Wing, 3rd Floor,
Raheja Towers, No.177 Anna Salai
Chennai 600 002.

..

Respondent



W.P.No.47449 of 2025

Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorari calling for the records of the 1st Respondent in issuance of sale notice REF.NO. PNB/SAMB/ Kamachi Industries/2025-26 in dated 20.11.2025 and quash the same.

For Petitioner : Mr.S.R.Rajagopal
Senior Counsel
For Mr.P.J.Rishikesh

For Respondents : Mr.Srinath Sridevan
Senior Counsel
For Ms.Vinitha Srinivasan for R1

Mr.P.S.Raman
Senior Counsel
For Mr.Prahalad Bhat K for R3

ORDER

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

Challenge to the legality of sale proceedings is the subject matter of this writ petition.

2. Though number of grounds have been urged, we find that petitioner has alternative efficacious remedy of approaching the Debts Recovery Tribunal, challenging the measures taken, which



W.P.No.47449 of 2025

includes the property which is claimed by petitioner as not available for sale. This issue can very well be raised before the Debts Recovery Tribunal. We fail to understand why petitioner has approached this Court without exhausting alternative statutory remedy.

3. With liberty, petition is dismissed. All the issues raised here are available to be raised before the Debts Recovery Tribunal. Since the writ petition has been filed before the expiry of the limitation, if petitioner files an application before the Debts Recovery Tribunal within a period of 45 days, the Debts Recovery Tribunal shall examine the same without going into any issue regarding limitation. There shall be no order as to costs. Consequently, the interim application is also dismissed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
10.12.2025

Index : Yes/No
Neutral Citation : Yes/No
kpl



W.P.No.47449 of 2025

WEB COPY

To

The Authorized Officer
Punjab National Bank
SAMB Chennai, 4th floor, PNB Towers
No. 46-49, Royapettah High Road
Chennai- 600 014.



WEB COPY



W.P.No.47449 of 2025

THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(kpl)

W.P.No.47449 of 2025

10.12.2025