



W.P.(MD).No.7216 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2025

CORAM:

**THE HONOURABLE MR.K.R.SHRIRAM, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**W.P.(MD).No.7216 of 2023
and
W.M.P.(MD).Nos.6807 and 6808 of 2023**

1.P.V.Himlar

2.P.V.Jimlar
Petitioners

...

-VS-

1.The Branch Manager,
Canara Bank,
Colachel Road,
Monday Market,
Neyyoor - 629 802.

2.United India Insurance Company Limited,
1/45B-6, 2nd Floor, J.P.C. Building,
Colachel Road, Monday Market,
Nagercoil,
Kanyakumari District- 629 802.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a



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writ of Certiorari, calling for the records relating to the impugned Possession Notice issued by the 1st respondent bank dated 18.11.2022 under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, quash the same as illegal and void.

For Petitioners : Mr.M.F.Rooshi Maas
for M/s.Isaac Chambers

For R-1 : Mr.N.Dilip Kumar

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

Counsel for the petitioners state that after the symbolic possession was taken, an order under Section 14 of the SARFAESI Act has also been passed, which is impugned before the Debts Recovery Tribunal. Hence, the petition has become infructuous.

2. Mr.N.Dilip Kumar states that the petitioners had filed another Writ Petition, which came to be disposed of by a learned Single Judge and that order has been challenged by the Insurance Company in this Court. The matter is still pending. At the same time, Mr.Dilip Kumar states that the said matter will have



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no relevance to this petition and he was only bringing the development to the notice of this Court.

3. Writ Petition is dismissed as infructuous. There shall be no order as to costs. Consequently, the interim applications are closed.

[K.R.SHRIRAM., C.J.]

[V.LAKSHMINARAYANAN, J.]

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NCC : Yes / No

Index : Yes / No

Lm



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