



WP(MD). No.13329 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 30/04/2025

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

WP(MD). No.13329 of 2025
and WMP(MD) Nos.9567, 9569 and 9570 of 2025

S.Saranya

... Petitioner

Vs

1. The Authorised Officer,
ICICI Bank, Having Office at
Ambattur Industrial Estate,
Ambattur, Chennai -600 058..

2. The Branch Manager,,
Icici Bank, Koodal Nagar Branch,
Edwin Medical Complex,
No.1/2, Palamedu Main Road,
Koodal Nagar, Madurai..

3. M.Muthukumar

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari calling for the records relating to the impugned Sale Certificate Doc.No.3858/2024 dated 7.8.2024 executed by the 1st respondent in favour of the 3rd respondent and quash the same as illegal.

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For Petitioner : Mr.T.Veerakumar
For Respondents : Mr.Veerapandian for R1 & R2
for M/s.Vast Law Associates

ORDER

(Order of the Court was made by S.SRIMATHY, J.)

The writ petition has been filed challenging the impugned sale certificate dated 07.08.2024 executed by the 1st respondent in favour of the 3rd respondent.

2.The petitioner has availed a sum of Rs.50 lakhs as agricultural loan and his brother, who stood as a guarantor, has executed a registered memorandum of deposits of title deeds. The petitioner is also repaying the loan amount. While so, without the knowledge of the petitioner, his land has been sold in favour of the 3rd respondent by the 1st respondent without issuing notice to the petitioner herein. Challenging the same, the petitioner is before this Court.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondents 1 and 2.



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4. The petitioner already approached the Debt Recovery Tribunal challenging the notice issued under Section 14 of the SARFAESI Act. Today he is challenging the sale certificate issued to the bona fide purchaser. Since the impugned sale certificate needs elaborate consideration, this Court is not inclined to interfere with the said impugned order. However, the petitioner is at liberty to pursue the matter before the Debt Recovery Tribunal.

5. The writ petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petitions are closed.

[J.N.B.,J]

[S.S.Y.,J]

30.04.2025

NCC : Yes/No

Index : Yes/No

RR



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AND
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RR

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