



W.P.(MD)No.14340 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 01.07.2025

CORAM:

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P(MD).No.14340 of 2025

and

W.M.P(MD)No.10537 of 2025

K.Anbuselvi

... Petitioner

-VS-

1. Canara Bank,
Rep. by its Authorized Officer,
Aruppukottai Branch,
23-1-130A, Sathyamoorthi Bazaar,
Karadi Maliga,
Aruppukottai,
Virudhunagar – 626 101.

2. The Authorized Officer,
Canara Bank,
No.151, 60 feet Main Road,
Sankar Nagar,
Bangalore.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorari to call for the records pertaining to the impugned sale notice in Ref.ROTHENI/REC/SN/2025-26/65 dated 03.05.2025 on the file of the 1st respondent bank and quash the same as illegal.

For Petitioner : Mrs.A.Dharani

For Respondents : Mr.C.Karthik

ORDER

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

The covering letter to sale notice is under challenge in the present writ proceedings.

2. Admittedly, action was initiated against the petitioner under the SARFAESI Act and Rules. Since the petitioner was at defaulter in repayment of loan, the actions initiated under the SARFAESI Act is susceptible for an appeal under the very same Act and thus, no writ petition is maintainable in view of the judgment of the Hon'ble Supreme Court in the case of *Celir LLP Vs. Bafna Motors (Mumbai) Private Limited and others* reported in *(2024) 2 SCC 1*.



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WEB COPY 3. By granting liberty to the petitioner to approach the competent forum, the present writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) (A.D.M.C., J.)

01.07.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm

To

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