



W.P.No.35714 of 2023

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Writ Petition No.35714 of 2023

THE HON'BLE CHIEF JUSTICE  
and  
D.BHARATHA CHAKRAVARTHY, J.

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

Heard Mr.R.Balachandran, learned counsel for the petitioner.

2. Learned counsel for the petitioner submits that the petitioner has purchased the subject property in an auction undertaken by respondent 1 under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 [for brevity, "SARFAESI Act, 2002"]. The sale certificate was issued on 26.09.2023. The Bank initiated steps under the SARFAESI Act, 2002 against respondent 5. Notice under Section 13(4) of the SARFAESI Act, 2002 was issued on 08.11.2018 and respondent 5 has fraudulently executed the sale deed in favour of respondents 6 to 20 on or about 16.10.2020. The same is prohibited under the provisions of the SARFAESI Act, 2002.



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3. Learned counsel for the petitioner further submits that application is given to respondent 3 to cancel the registration of the sale deed executed by respondent 5 in favour of the other respondents, however, no cognizance has been taken.

4. Mr.P.Muthukumar, learned State Government Pleader accepts notice for respondents 2 to 4.

5. Issue notice to the respondents 1 and 5 to 20, returnable on 22.02.2024.

6. List the matter on 22.02.2024.

(S.V.G., CJ.)

(D.B.C.,J.)

03.01.2024

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