

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Friday, the Twenty Eighth day of April Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN
and

The Hon`ble Mrs.Justice L.VICTORIA GOWRI

WP (MD) No.11059 of 2023

and

WMP (MD) No.9676 of 2023

R.GUNASEKARAN

... PETITIONER

Vs

1 THE AUTHORIZED OFFICER
ICICI BANK LTD., ARIHANT INSIGHT,
PLOT NO.24, BLOCK NO.1,
AMBATHUR INDUSTRIAL ESTATE ,
CHENNAI.

2 THE BRANCH MANAGER
ICICI BANK , NEW BO.58,
WEST BOULEWARD ROAD,
TRICHY.

... RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a Writ of Certiorari or any other appropriate writ or order or direction in the nature of writ calling for the records pertaining to the order passed by the 1st respondent in his proceedings No.nil Symbolic Possession Notice dated 17.04.2023 and quash the same.

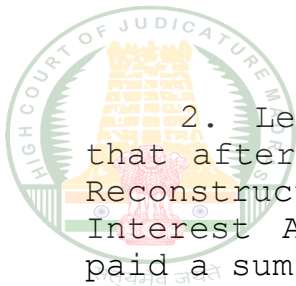
Prayer in WMP(MD). 9676/ 2023 :

To stay the operation of the operation of the order passed by the 1st respondent in his proceedings No. Nil Symbolic Possession Notice dated 17.04.2023 pending disposal of the writ petition.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.PANNEER SELVAM.V, Advocate for the petitioner, the court made the following order:-

[Order of the Court was made by R.SUBRAMANIAN, J.]

Notice to the respondents returnable by 09.06.2023. Private notice is also permitted.



2. Learned counsel appearing for the petitioner would submit that after the notice under Section 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, was issued on 11.10.2022, the petitioner has paid a sum of Rs.68,00,000/- (Rupees Sixty Eight Lakhs only).

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3. In view of the said claim, there shall be an order of interim stay of all further proceedings pursuant to the impugned notice issued under Rule 8(1) of the Security Interest (Enforcement) Rules, 2002, until further orders.

4. Post the matter on 09.06.2023.

sd/-

28/04/2023

/ TRUE COPY /

/05/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PKN

TO

1 THE AUTHORIZED OFFICER
ICICI BANK LTD., ARIHANT INSIGHT,
PLOT NO.24, BLOCK NO.1,
AMBATHUR INDUSTRIAL ESTATE ,
CHENNAI.

2 THE BRANCH MANAGER
ICICI BANK , NEW BO.58,
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TRICHY.

+1. C.C. to M/S.V.PANNEER SELVAM, Advocate, SR.No.6900[I]

ORDER
IN
WP(MD) No.11059 of 2023
and
WMP(MD) No.9676 of 2023
Date :28/04/2023

RS/VR/SAR-3(10.05.2023) 2P 4C