

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE DR.JUSTICE P. DEVADASS

W.P. No.35663 of 2015 and M.P. No.1 of 2015

- 1 Sri Lakshmi Krishna Jewellers Private Ltd.
represented by its Managing Director
K. Selvam
- 2 K. Selvam
Managing Director
Sri Lakshmi Krishna Jewellers Private Ltd.
- 3 K. Chandrasekaran
Director
Sri Lakshmi Krishna Jewellers Private Ltd.
- 4 K. Udhayakumar
Director
Sri Lakshmi Krishna Jewellers Private Ltd.
- 5 J. Andal ...Petitioners
- vs.
- 1 The District Collector-cum-District Magistrate
Coimbatore District
Collectorate Building
Coimbatore 641 018 सत्यमेव जयते
- 2 The Tahsildar
Coimbatore South, Coimbatore
- 3 Karur Vysya Bank Ltd.
represented by Authorised Officer
Coimbatore Main Branch
No.577 Oppanakara Street
Coimbatore 641 001
- 4 R. Anantha Padmanabhan
- 5 Nithyakala Anantha Padmanabhan ...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the second respondent to hand over / re-deliver property at Door No.737, Big Bazaar Street, Coimbatore.

For petitioners : Mr. G. Suryanarayanan

For RR 1 & 2 : Mrs. A. Srijyanthi
Special Government Pleader

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

This writ petition is filed seeking a direction to the second respondent to hand over/re-delivery the property at Door No.737, Big Bazaar Street, Coimbatore to the petitioners.

2 The case of the petitioners is that notwithstanding the order dated 16 January 2015 rendered by the Debts Recovery Appellate Tribunal in AIR (SA) No.31 of 2015 to maintain status quo, the second respondent, viz., the Tahsildar, Coimbatore South, is disturbing the petitioners' possession of the property in question. Thus, this writ petition for a direction to the second respondent not to disturb the petitioners' possession of the property in question and comply with the order passed by the Debts Recovery Appellate Tribunal.

3 At the threshold, it is to be noted that the instant writ petition seeks execution of the order passed by the Debts Recovery Appellate Tribunal, which is competent to ensure that its order is complied with. Thus, there is no reason to exercise the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, at this stage.

4 Accordingly, this writ petition is dismissed as not maintainable, reserving liberty to the petitioners to approach the concerned Debts Recovery Appellate Tribunal, seeking appropriate relief, if so advised. Costs made easy. Connected Miscellaneous Petition is closed.

sd/
ASSISTANT REGISTRAR (CS-II)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

cad

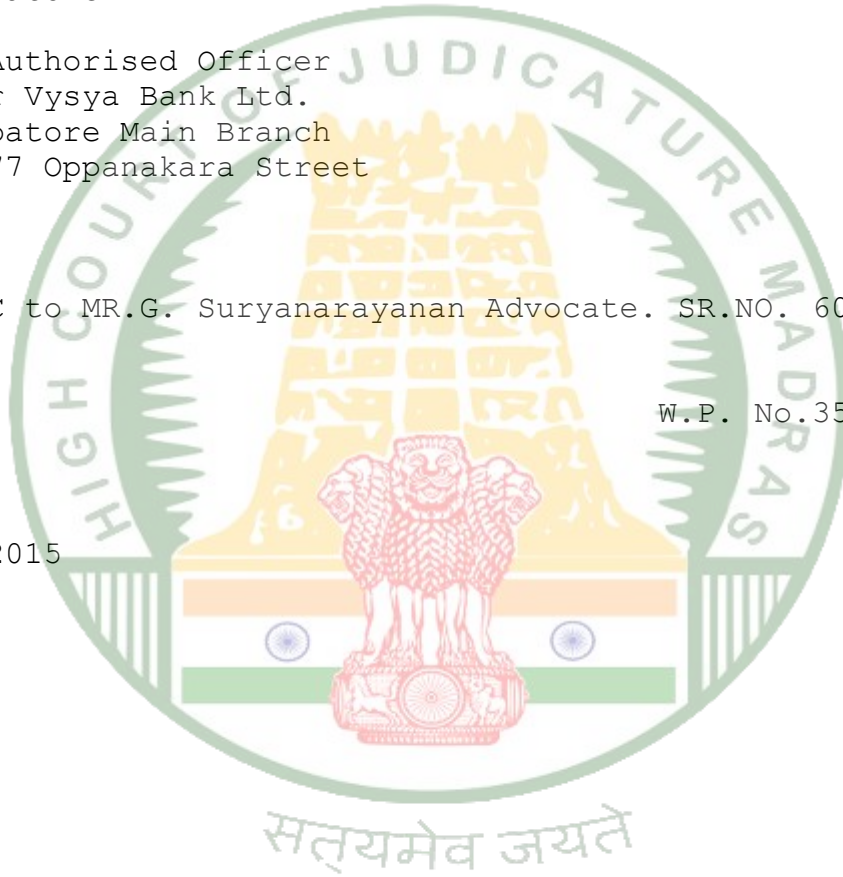
To

- 1 The District Collector-cum-District Magistrate
Coimbatore District
Collectorate Building
Coimbatore 641 018
- 2 The Tahsildar
Coimbatore South
Coimbatore
- 3 The Authorised Officer
Karur Vysya Bank Ltd.
Coimbatore Main Branch
No.577 Oppanakara Street

+1 CC to MR.G. Suryanarayanan Advocate. SR.NO. 60886

W.P. No.35663 of 2015

AR-II
JD 18/11/2015



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