



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE P.VELMURUGAN

W.P.[MD].No.5087 of 2017
and
W.M.P. (MD).No.4095 of 2017

R. Mahesh : Petitioner

Vs.

1. The District Collector,
District Collector Office,
Pudhukottai.

2. Sundaram BNP Paribas Home
Finance Limited,
Sundaram towers, Whites road,
Chennai - 600 014.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus or any other appropriate Writ, direction or order, directing the first respondent and second respondent not to take any action against the petitioner's property mentioned in the possession notice dated 15.10.2014, without adhering to the procedure contemplated in law.

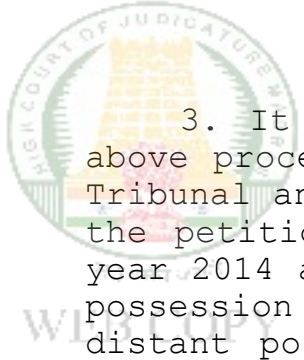
For Petitioner : Mr.S.Sathish Kumar
For Respondent No.1 : Mr.V.Muruganantham
Additional Government Pleader

O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

Heard Mr.S.Sathish Kumar, learned counsel appearing for the petitioner and Mr.V.Muruganantham, learned Additional Government Pleader appearing for the first respondent.

2. The petitioner, who had borrowed loan from the second respondent/finance company, has come forward with this Writ Petition praying for a direction to the respondents not to take any action, pursuant to the possession notice dated 15.10.2014.



3. It is the admission of the petitioner that as against the above proceedings, the petitioner has approached the Debts Recovery Tribunal and it appears that the said application is time barred and the petitioner has been declared as a defaulter much prior to the year 2014 and his loan account has become NPA on 30.05.2014 and the possession notice has been issued on 15.10.2014. Thus, at this distant point of time, we are not inclined to entertain the Writ Petition nor to grant the relief sought for by him and the Writ Petition is devoid of merits.

4. In view of the above, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
District Collector Office,
Pudhukottai.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 17594

NB
TE/SV-MMS/SAR-IV : 05/04/2017 : 2P/3C

ORDER MADE IN
W.P.[MD].No.5087 of 2017 and
W.M.P.(MD).No.4095 of 2017
23.03.2017