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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2018

CORAM:

THE HON'BLE Mr. JUSTICE R.SUBBIAH

AND

THE HON'BLE Mrs. JUSTICE R.THARANI

W.P. (MD) No.22774 of 2018
and W.M.P. (MD) No.20650 of 2018

Agni Knowledge Foundation,
Rep.by its Chairman and Managing Trustee,
P.Kanniappan

... Petitioner

Vs.

1.The Authorized Officer / Chief Manager,
Central Bank of India,
Dindigul 624 001.

2.The District Collector,
Dindigul.

3.The Tahsildar,
Vedasandur,
Dindigul District.

4.The Superintendent of Police,
Dindigul.

... Respondents

PRAYER: The petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents their men, servants or agents or anyone claiming under them from in any manner taking physical possession of the property described in Survey Nos.90/1B,1C,1D; 89/1A,1C,1D; 284/2, 284/2B,2C,2D, 88/2A,2B,2C; 90/1A1 and 985A,5B,5C, 95/3B, 95/6, 94/6A,6B,6C, 94/1A1,1A2,1B, 88/1B, 89/2B, 89/2C, 94/2B at Morepatti Village, Vedasandur Taluk, Dindigul District under the provisions of the SARFAESI Act.

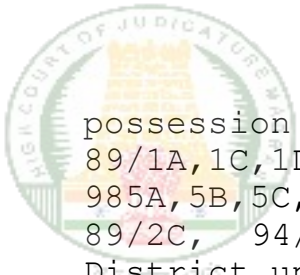
For Petitioner : Mr.AR.L.Sundaresan, Senior Counsel for
Mr.S.Vinod Sathya Lazar

For Respondents : Mr.N.Dilip Kumar for R1
Mr.R.Sethuraman, Spl.G.P.for R2 to R4

ORDER

(Order of the Court was made by R.SUBBIAH,J.)

<https://hcservices.ecourts.gov.in/hcservices/> This Writ petition has been filed to issue a Writ of Mandamus, forbearing the respondents their men, servants or agents or anyone claiming under them from in any manner taking physical



possession of the property described in Survey Nos.90/1B,1C,1D; 89/1A,1C,1D, 284/2, 284/2B,2C,2D, 88/2A,2B,2C, 90/1A1 and 985A,5B,5C, 95/3B, 95/6, 94/6A,6B,6C, 94/1A1,1A2,1B, 88/1B, 89/2B, 89/2C, 94/2B at Morepatti Village, Vendasandur Taluk, Dindigul District under the provisions of the SARFAESI Act.

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2. When the matter is taken up for hearing, the learned counsel appearing for the first respondent submitted that already an order dated 22.10.2018 under Section 14 of the SARFAESI Act has been passed and a copy of the same has also been furnished to the petitioner. He also submitted that as against the same, S.A.No.452 of 2017 is pending before the Debts Recovery Tribunal, Madurai.

3. In view of the above said submission, nothing survives for adjudication in this matter. Hence, this Writ petition is dismissed. The petitioner is at liberty to work out his remedy in the pending S.A.No.452 of 2017. No costs. Consequently, connected W.M.P. is closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The District Collector,
Dindigul.

2. The Tahsildar,
Vendasandur,
Dindigul District.

3. The Superintendent of Police,
Dindigul.

+1cc to Mr.S.Vinod Sathya Lazar, Advocate Sr.No.97698
+1cc to Mr.N.Dilip Kumar , Advocate Sr.No.97722

NBJ

KM/PM/SAR2/20.12.2018/2P/6C

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