



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **24.10.2018**

CORAM:

THE HONOURABLE MR. JUSTICE **T.RAJA**

and

THE HONOURABLE MR. JUSTICE **KRISHNAN RAMASAMY**

W.P. (MD) No.21382 of 2018

and

W.M.P. (MD) Nos.19248 and 19249 of 2018

K.Baskar

... Petitioner

Vs.

1.The District Collector cum District Magistrate,
Dindigul District,
Dindigul.

2.The Tahsildar,
Dindigul (East),
Dindigul.

3.The Authorised Officer,
State Bank of India,
Dindigul Main Branch,
Dindigul.

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records in pertaining to the order in R.O.C.No.12344/2014/C4, dated 20.11.2017 passed by the first respondent herein and quash the same consequently direct the second respondent to remove the seal under the lock of the house bearing Door No.93, Balakrishnapuram Village, Dindigul District and to restore the possession of the house to the petitioner.

For Petitioner : Mr.A.G.Senthilkumar
For Respondent 3 : Mr.S.Sethuraman

ORDER

(Order of the Court was made by **T.RAJA, J.**)

This Writ Petition is directed against the order dated 20.11.2017 passed by the first respondent herein and consequently direct the second respondent to remove the seal under the lock of the house bearing Door No.93, Balakrishnapuram Village, Dindigul



District and to restore the possession of the house to the petitioner.

2. This Court, considering the petitioner's poor background, has passed a conditional order on 12.10.2018 granting time for the petitioner to deposit a sum of Rs.1,00,000/- (Rupees One lakh only) before the respondent bank till 24.10.2018. But, the petitioner has not complied with the said conditional order so far and this apart, the petitioner should have approached the Debts Recovery Tribunal. Since the petitioner has not complied with the conditional order and straight away come to the Court under Article 226 of the Constitution of India without approaching the Debts Recovery Tribunal, we are unable to entertain this Writ Petition. Hence, this Writ Petition fails and accordingly, the same is dismissed. No costs. Consequently, the connected Writ Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS-II)

To

1. The District Collector cum District Magistrate,
Dindigul District,
Dindigul.

2. The Tahsildar,
Dindigul (East),
Dindigul.

+1 CC To MR.S.SETHURAMAN, Advocate SR. NO. 91507

**W.P. (MD) No.21382 of 2018
and**

W.M.P. (MD) Nos.19248 and 19249 of 2018
24.10.2018

SRM

TR/SV/SAR-II (19.11.2018) 2P 4C