

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 17-03-2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.4784 OF 2020

Atluri Krishna Rao

...

Petitioner

-vs-

1.Chief Judicial Magistrate,
Chengalpattu,
Kancheepuram District.

2.Andhra Bank,
R.P.Road Branch,
Secunderabad-500 003.

3.M/s.Swaraj Enterprises

4.Kathik Doraiswamy

5.Tripuramba

6.Atluri Dhruti Devi

7.Atluri Urmila

...

Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to quash the impugned order, dated 05.02.2020, passed by the first respondent in Crl.M.P.No.1144 of 2020 and consequently forbear the second respondent, their men or agents, the Advocate Commissioner appointed by the first respondent from in any manner interfering with the petitioner's peaceful possession of the property.

For Petitioner : Mr.Srinath Sridevan

For Respondent 2 : Mr.Gowthamanarayanan

ORDER
(By M.M.Sundresh, J.)

Though this Writ Petition has been filed challenging the order passed by the first respondent, namely, Chief Judicial Magistrate, Chengalpattu, Kancheepuram District, in Criminal M.P.No.1144 of 2020, learned counsel for the petitioner made a fervent plea before this Court that the petitioner may be granted three months' time from today to vacate the premises, which is sought to be taken possession of by the second respondent Bank, as his ailing mother is residing in the said place.

2. Learned counsel for the second respondent Bank has submitted that the time sought for by the petitioner is very high and this Court may consider granting of lesser time.

3. Considering the submissions made by the learned counsel for the parties, we are inclined to grant a time of three months from today, during which period, the petitioner is allowed to stay in the said premises, which is sought to be taken possession of in pursuance of the order passed by the first respondent in Criminal M.P.No.1144 of 2020, and, after expiry of the said period, he shall hand over the premises to the respondent Bank, without asking for any further extension of time.

4. Writ Petition stands disposed of accordingly. No costs. Consequently, the connected W.M.P.Nos.5651 and 5653 of 2020 are closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

dixit

To

1.Chief Judicial Magistrate,
Chengalpattu,
Kancheepuram District.

2.Andhra Bank,
R.P.Road Branch,
Secunderabad-500 003.

W.P.No.4784 OF 2020

NR(CO)
GMY(18/06/2020)