

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No.10587 of 2020 &
WMP.No.12862 of 2020

M/s.Hotel coastal Residency,
Rep.by its Partner N.Elango,
S/o. Sri. Nallaiya Gounder,
No.12/34 Ayyampalayam,
Nallipalayam, Namakkal.

..Petitioner

Vs.

1.Indian overseas bank,
Main Road Opposite of Veterinary College,
Sanyasi Karadi Post, Laddivadi Namakkal.

2.The Chief Judicial Magistrate,
Namakkal.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorari calling for the records relating to the order passed by the court of chief Judicial Magistrate, Namakkal in CRL MP No.3996 of 2019, dated 13.07.2020 and quash the same.

For Petitioner .. Mr.AR.L.Sundaresan, S.C.,
for Mr.Sheikh Ismail

For 1st Respondent .. Mr.Benjamin George

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

Admittedly, the order under challenge can be agitated before the Debts Recovery Tribunal and, therefore, we are not inclined to entertain this writ petition.

2.However, considering the submission made by the learned Senior Counsel appearing for the petitioner that the petitioner is running a hotel which is catering to the needs of the Doctors and Covid-19 patients, we are inclined to direct the first respondent not to take any coercive action for a period of four weeks from the date of receipt of a copy of this order so as to enable the petitioner to approach the Debts Recovery Tribunal for appropriate orders.

3.The writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

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Sub Assistant Registrar

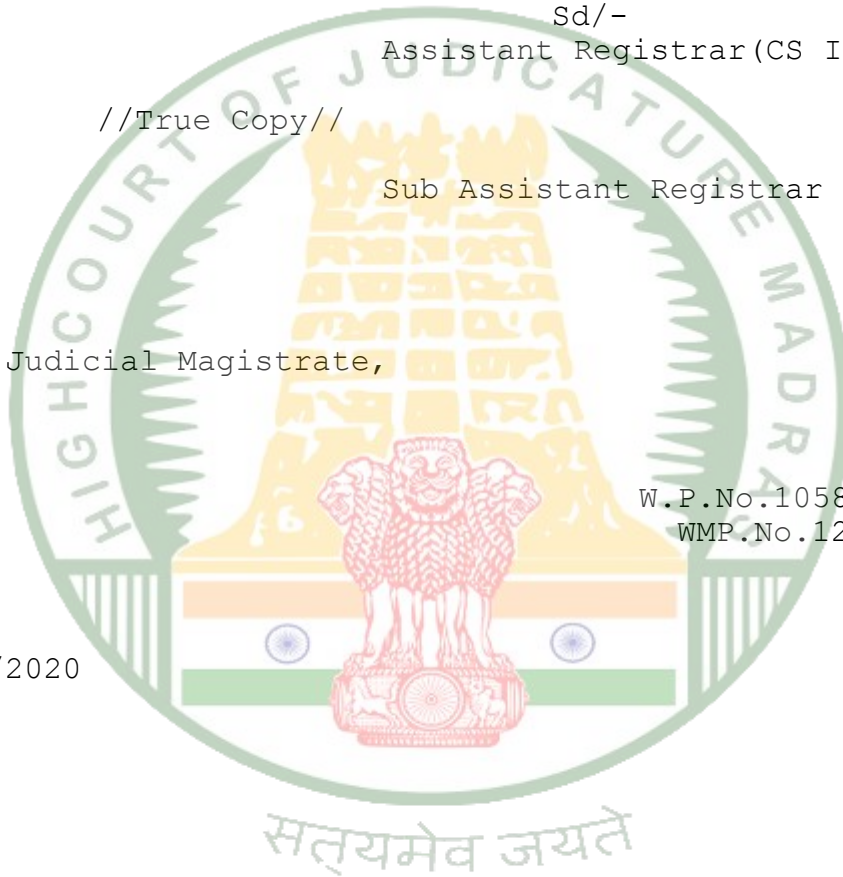
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To

The Chief Judicial Magistrate,
Namakkal.

W.P.No.10587 of 2020 &
WMP.No.12862 of 2020

SKS (CO)
KKV/27/08/2020



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