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W.P.[MD].No.6934 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2020

CORAM:

**THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P.[MD].No.6934 of 2020
and
W.M.P.(MD)Nos.6358 and 6360 of 2020**

Mr.P.Manikandan : Petitioner
Vs.

1.The District Collector,
District Magistrate,
Madurai.

2.The Authorized Officer,
Muthoot Housing Finance Limited,
Madurai Branch, No.84, 2nd Floor,
Southveli Street,
Madurai.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings dated 20.01.2020 in R.O.C.No.C6/56756/2016 of the first respondent herein and quash the same as illegal and unconstitutional and consequently forbear the respondents from dispossessing the petitioner from his property situated in R-Survey No.42/5, Old No.3/201, New No.3/218, Kollangulam Village, Vellaiyankundram, Mathur Panchayat, Madurai District and direct the second respondent bank to consider the representation of the petitioner dated 15.05.2019 for reasonable and fair settlement of the pending dues of the loan amount.

For Petitioner : Ms.A.Rajini
For Respondent No.1 : Mr.VR.Shanmuganathan,
Special Government Pleader

O R D E R

[Order of the Court was made by **P.N.PRAKASH, J.**]

In view of the judgment of the Supreme Court in **Authorised Officer, Indian Bank v. D.Visalakshi and another [AIR 2019 SC 4619]**,

this Writ Petition is not maintainable and the remedy for the



petitioner is before the Debts Recovery Tribunal. Hence, this Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar ()

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Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

SML/RSB

To

The District Collector,
District Magistrate,
Madurai.

Order made in
W.P. [MD] .No.6934 of 2020

Dated: **29.06.2020**

NR (09.07.2020) 2P 2C