



WEB COPY

In the High Court of Judicature at Madras

Dated : 07.10.2021

Coram :

The Honourable Mr. Justice T.S. SIVAGNANAM

and

The Honourable Mr. Justice SATHI KUMAR SUKUMARA KURUP

Writ Petition No. 21751 of 2021

Karvy Financial Services Ltd.,
rep. by its authorized officer
Mr. Navin Kumar Somula

... Petitioner

Vs

1. The District Magistrate and
District Collector, Chennai.

2. The Tahsildar, Maduravoyal
Taluk, Maduravoyal, Chennai.

3. The Deputy Commissioner of
Police, Avadi, Chennai.

... Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to execute the order dated 19.2.2020 in RC.No.J15/28975/ 2018 along with police protection.

For Petitioner : Mr. M. Ajmal Azzath

Order of the Court was made by T.S. SIVAGNANAM, J

We have heard Mr. Ajmal Azzaath, learned counsel for the petitioner.

2. This writ petition has been filed by a non banking financial company to direct the second respondent to execute the order dated 19.2.2020 by taking action under Section 14 of the Securitization of Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

3. Earlier, the petitioner approached this Court by filing W.P.No. 5098 of 2021 for the same relief and it was disposed of by order dated 23.4.2021. Once again, a writ petition for the same relief cannot be entertained.



4. According to the petitioner, the alleged compliance of the order passed by the Tahsildar is only an action taken name sake and it is not a full and faithful compliance of the earlier direction.

5. Unfortunately, we cannot issue a Writ of Mandamus to implement the order passed in the earlier writ petition. If, according to the petitioner, the respondents have willfully disobeyed the order and direction, the remedy available to the petitioner is not by way of filing a writ petition. Therefore, the prayer sought for cannot be granted.

6. Hence, the above writ petition is dismissed. However, we leave it open to the petitioner to work out their remedies in accordance with law.

Sd/-

Asst. Registrar

//True Copy//

Sub Asst. Registrar

RS

To

1.The District Magistrate and District Collector,
Chennai.

2.The Tahsildar, Maduravoyal Taluk,
Maduravoyal, Chennai.

3.The Deputy Commissioner of Police,
Avadi, Chennai.

WP.No.21751 of 2021

MG(CO)
RA 21/10/2021