



WEB COPY

W.P.(MD)No.422 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.01.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE
AND

The Hon'ble Mr.JUSTICE M.M.SUNDRESH

W.P.(MD) No.422 of 2021

and W.M.P.(MD) No.344 of 2021

Sri Manish Velji Patel

.. Petitioner

Vs

1.Federal Bank Ltd.,
Rep. by its Asst. Vice President
LCRD/Chennai Division,
No.57 Royapettah High Road,
Chennai.

2.M/s.Bhavani Wood Works
No.12, Chennai Bye Pass Road,
Ariyamangalam
Tiruchirappalli.620 010

3.The Chief Judicial Magistrate,
Pudukottai.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Certiorarified Mandamus, by quashing the impugned order passed by the Chief Judicial Magistrate, Pudukottai, in Crl.M.P.no.1428/2019 dated 11.11.2020 by calling for the records pertaining to the impugned order and to direct the Chief Judicial Magistrate, Pudukottai to consider the matter afresh after giving sufficient opportunity to the petitioner with cost of the writ petition.

For Petitioner

: Mr.J.Alaguraam Jothi

ORDER

[Order of the Court was made by **M.M.SUNDRESH, J.**]

What has been challenged before us is an order passed invoking Section 14 of the SARFAESI Act.

2.The law is quite settled that the writ petition is not maintainable, as the remedy open to the petitioner is to invoke Section 17 of the said Act before the jurisdictional Tribunal.

3. Taking note of the fact that the petitioner has wrongly approached this Court, we are inclined to give further time of four weeks, from the date of receipt of a copy of this order, to enable

<https://hcservices.ecourts.gov.in/hcservices/>



the petitioner to approach the jurisdictional Tribunal.

4. The writ petition stands disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

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Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR/OGY

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.

To:
The Chief Judicial Magistrate,
Pudukottai.

+1 CC to M/s.J.ALAGURAAM JOTHI, Advocate (SR-1501[F] dated
21/01/2021)

W.P. (MD) No.422 of 2021
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PM(CO)
KB(01.02.2021) 2P 3C