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CrI.R.C.No.480 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2022

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Revision Case No.480 of 2020

and

CrI.M.P.No.3824 of 2020

M.Kalidoss

... Petitioner

Versus

1.Sundaram Home Finance Limited,
Formerly Sundaram BNP Paribas Home
Finance Limited,
Kumbakonam Branch,
Having Office at No.16, New Railway Station Road,
Kumbakonam- 612 001,
Represented by its duly appointed authorised officer,
E.Lenin.

2.K.Sujatha

3.M.Selvam

4.S.Uma

... Respondents

Criminal Revision Case filed under Sections 397 r/w 401(2) Cr.P.C to call for the records in connection with the order dated 12.02.2020 in Cr.M.P.No.399 of 2020 passed by the learned Chief Judicial Magistrate, Nagapattinam and set aside the same as illegal and improper.



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For Petitioner : Mr.S.Kingston Jerold

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ORDER

The Criminal Revision Case is preferred against the order dated 12.02.2020 passed in Cr.M.P.No.399 of 2020 by the learned Chief Judicial Magistrate, Nagapattinam.

2. The first respondent/Finance Company has lent money to the petitioner, due to violation of the conditions mentioned in the memorandum of understanding, the first respondent invoked the provisions under Section 14(1) and (2) of SARFAESI Act, 2002 before the learned Chief Judicial Magistrate, Nagapattinam to appoint an Advocate Commissioner for taking possession of the secured assets. By an order dated 12.02.2020, the learned Chief Judicial Magistrate, Nagapattinam appointed an Advocate Commissioner to break open the lock in the petition mentioned property and also directed the Inspector of Police, Kuthalam Police Station to assist the Advocate Commissioner in this regard. Challenging the said order, the petitioner has come forward with this revision.

3. The learned counsel for the petitioner submitted that as per the



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directions of the Court below, the Advocate Commissioner was appointed and he has also taken over the possession and the same was handed over to the first respondent/Finance Company.

4. In view of the submissions made by the learned counsel for the petitioner, nothing survives for adjudication in this revision. Accordingly, this Criminal Revision Case is dismissed as infructuous. However, the petitioner is at liberty to work out his remedy in the manner known to law. Consequently, connected miscellaneous petition is closed.

14.12.2022

Index : Yes/No
Speaking Order/Non Speaking Order
ms

To

The Chief Judicial Magistrate,
Nagapattinam.



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P.VELMURUGAN, J.

ms

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