



WEB COPY



W.P.No.26737 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2022

CORAM

THE HONOURABLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.26737 of 2022

S.Soundirardjane Sambath

.. Petitioner

Versus

1.The Authorised Officer,
M/s.State Bank of India,
Puducherry Main Branch,
15, Rue Suffren,
Puducherry – 605 001.

2.The Registrar,
Debt Recovery Appellate Tribunal,
Office of the Additional Buildings,
7th Floor, Haddows Road,
Sasthri Bhavan, Nungambakkam,
Chennai – 6.

.. Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India seeking for issuance of a writ of mandamus to forbear the first respondent bank from taking physical possession of the petitioner property at No.83, Bajanai Madam Street, Muthirairpalayam, Puducherry – 605009, based on the order passed by the learned Chief Judicial Magistrate Puducherry on 05.03.2022 made in CrI.M.P.No.114/2022 and pass such further orders.

For Petitioner

: Mr.V.R.Venkatesan

For R1

: Mrs.S.R.Sumathy



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ORDER

(Order of the Court was delivered by The Hon'ble Acting Chief Justice)

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The petitioner has filed this writ petition seeking for issuance of a writ of mandamus forbearing the first respondent bank from taking physical possession of his property at No.83, Bajanai Madam Street, Muthirairpalayam, Puducherry – 605009, based on the order passed by the learned Chief Judicial Magistrate, Puducherry on 05.03.2022 made in CrI.M.P.No.114/2022.

2. After some arguments, learned counsel for the petitioner sought for permission of the Court to approach the Debt Recovery Tribunal (DRT), Chennai, where the appeal filed against the Sale Certificate dated 04.02.2022 is pending. Therefore, without going into the merits of the matter, the writ petition is closed giving such liberty as sought for by the petitioner. No Costs. Consequently, connected miscellaneous petitions are closed.

(T.R., ACJ.) (D.K.K., J.)
07.11.2022

rkm
Index:yes/no
Speaking/non-speaking



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To

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15, Rue Suffren,
Puducherry – 605 001.
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THE HON'BLE ACTING CHIEF JUSTICE



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and
D.KRISHNAKUMAR, J.
rkm

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