



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:27.01.2022

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P (MD)No.1058 of 2022

and

W.M.P (MD)No.890 of 2022

A.Ravichandran

... Petitioner

Vs.

The Authorized Officer,
Union Bank of India,
Madurai Main Branch,
Town Hall Road,
Madurai.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus restraining the respondent from dispossessing the petitioner from the property bearing Door No.3-2-21, Kallanai Main Road Kallanai, comprised in Survey Nos.188/1, 188/2, 188/3 and 188/4 of Kallanai Village, Alanganallur, Vadipatti Taluk, Madurai, to an extent of 58 cents till the disposal of the SARFAESI appeal in S.A.No.525 of 2021 on the file of the Debts Recovery Tribunal, Madurai.

For Petitioner :Mr.Syed Mohammed Badhusa

For Respondent :Mr.S.Karthi

ORDER

(Order of the Court was made by **PUSHPA SATHYANARAYANA, J.)**

The writ petition is filed for a Mandamus forbearing the respondent from dispossessing the petitioner from his property bearing Door No.3-2-21, Kallanai Main Road, Kallanai, comprised in Survey Nos.188/1, 188/2, 188/3 and 188/4 of Kallanai Village, Alanganallur, Vadipatti Taluk, Madurai, pending disposal of the SARFAESI application in S.A.No.525 of 2021 on the file of the Debts Recovery Tribunal, Madurai. The said application is directed against the order passed under Section 14 of the SARFAESI Act.

2. When the matter was taken up for admission, earlier the petitioner was directed to bring a Demand Draft for a sum of Rs.23,00,000/- which was the conditional order passed by the Debts Recovery Tribunal in S.A.No.525 of 2021 directing the petitioner to



pay the said amount in two installments on 22.12.2021 and 19.01.2022. Even after a months time, the petitioner is unable to mobilise the said funds. Therefore, we do not propose to interfere in the proceedings and it is open to the petitioner to pursue his application in S.A.No.525 of 2021.

With the above observations, the writ petition is closed. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

pm

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:

1.The Authorized Officer,
Union Bank of India,
Madurai Main Branch,
Town Hall Road,
Madurai.

2.The Authorized Officer,
Debt Recovery Tribunal,
Madurai.

+1 CC to M/s.SYED MOHAMMED BADHUSA, Advocate (SR-3212[F] dated 31/01/2022)

W.P(MD)No.1058 of 2022

27.01.2022

MGJ(11.02.2022) 2P 4C