



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2022

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)No.1890 of 2022
and
WMP(MD)No.1627 of 2022

Mr.P.Tamilarasu

... Petitioner

vs.

The Authorised Officer /
Assistant General Manager,
Indian Bank, Trichy Cantonment Branch,
Trichy District.

... Respondent

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, forbearing the respondent bank from proceed with the order passed by the Hon'ble Chief Judicial Magistrate, Trichy in Cr.M.P.No.3300/2021 u/Sec 14(1) and (2) of the SARFAESI Act dated 06.01.2022 for a period of one month from the date of getting the certified copy of the said order passed thereon and to challenge the same before the Debts Recovery Tribunal, Madurai in respect of the petitioner's residential property comprised in S.Nos.7/1, 7/2 Door No.61-A at Azad Nagar, 3rd Street, Ramani Lakshmi Ammal Illam, K.K.Nagar, K.Sathanur SRO, Tiruchirappalli District.

For Petitioner : Mr.M.Ponniah

For Respondent : Mr.R.Pandivel

ORDER

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

The writ petition is filed assailing the order passed under Section 14(1) and (2) of the SARFAESI Act, 2002, dated 06.01.2022.

2. The learned counsel for the petitioner states that though the petitioner is challenging the said order, possession was taken on 28.01.2022. Already, the sale had taken place on 03.03.2020 which was confirmed and now possession is also taken and given to



the purchaser. Hence, the prayer in the writ petition has become infructuous. However, the petitioner wants to challenge the said order and it is open to him to challenge.

3. Accordingly, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

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/ /2022

Sub Assistant Registrar(CS)

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+1 CC to M/s.M.PONNIAH, Advocate (SR-3480[F] dated 01/02/2022)

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