



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM :

WEB COPY

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

W.P(MD)No.2213 of 2022

and

WMP(MD)Nos.1925 and 1926 of 2022

Mr.S.Ramesh Kannan

... Petitioner

vs.

1) The Authorized Officer,
Tamilnadu Mercantile Bank,
7/33-B, TMB House,
Tiruchendur Main Road,
Mullakadu,
Thoothukudi District-628005.

2) The Branch Manager,
Tamilnadu Mercantile Bank,
Mullakadu Branch,
7/33-B, TMB House,
Tiruchendur Main Road,
Mullakadu,
Thoothukudi District-628005.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, calling for the records of the impugned possession notices dated 06.10.2021 and 11.01.2022 issued by the 1st respondent and quash the same as illegal.

For Petitioner : Mr.S.Muthumalairaja

For Respondents : Mr.N.Dilipkumar

ORDER

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

The possession notices issued by the respondent dated 06.10.2021 and 11.01.2022 are assailed in this writ petition.

2. Already, S.A.No.26 of 2022 before the Debts Recovery Tribunal, Madurai, is filed challenging the very same notices and kept pending for want of Presiding Officer.



3. As there is no Presiding Officer in the Debts Recovery Tribunal, Madurai, Madurai matters are being called in the Debts Recovery Tribunal, Coimbatore.

4. In such a view of the matter, we only direct the Debts Recovery Tribunal, Madurai, to transmit the papers in S.A.No.26 of 2022 to the Debts Recovery Tribunal, Coimbatore, after which, the Debts Recovery Tribunal, Coimbatore, is directed to take up S.A.No.26 of 2022 on 16.02.2022 and pass orders on merits. Till such time, the respondent Bank shall not take any coercive steps.

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (W)

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/ /2022

Sub Assistant Registrar(CS)

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To

1.The Presiding Officer,
Debt Recovery Tribunal, Madurai.

2.The Presiding Officer,
Debt Recovery Tribunal,
Coimbatore.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-4362[F] dated 04/02/2022)

W.P(MD)No.2213 of 2022

DATED : 03.02.2022

RK(17/02/2022) 2P 4C