



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2022

CORAM :

WEB COPY

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

W.P(MD)Nos.2265 of 2022

and

WMP(MD)Nos.1970 and 1972 of 2022

- 1) S.Stalin Rajkumar
- 2) D.Selva Kumar
- 3) N.Nallammal

... Petitioners

vs.

- 1) The Authorized Officer,
M/s.Cholamadalam Investment and
Finance Investment Ltd.,
Dare House, 1st Floor,
No.2, N.S.C. Bose Road,
Chennai.
- 2) The Branch Manager,
M/s.Cholamadalam Investment and
Finance Investment Ltd.,
No.2/3, G.V. Towers,
3rd Floor, Opposite to Fenner India,
Melakkal Salai,
Madurai.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, call for the records of impugned Notice dated 17.09.2021 passed by the Respondent No.1 and quash the same as illegal.

For Petitioner : Mr.S.M.A.Jinnah

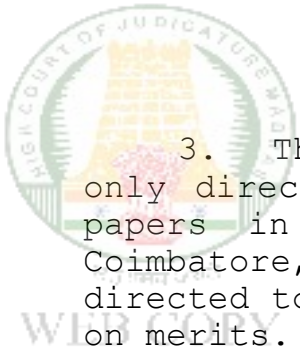
For Respondents : Mr.Pethu Rajesh

ORDER

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

The challenge in the writ petition is to the possession notice dated 17.09.2021 issued by the respondents.

2. It appears that already the said notice is challenged before the Debts Recovery Tribunal, Madurai, in S.A.No.488 of 2021 which is kept pending for want of Presiding Officer.



3. Therefore, without delving into the merits of the case, we only direct the Debts Recovery Tribunal, Madurai, to transmit the papers in S.A.No.488 of 2021 to the Debts Recovery Tribunal, Coimbatore, after which, the Debts Recovery Tribunal, Coimbatore, is directed to take up S.A.No.488 of 2021 on 16.02.2022 and pass orders on merits.

4. 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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Sub Assistant Registrar(CS)

Bala

To

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

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

W.P(MD)No.2265 of 2022

DATED : 04.02.2022

MGJ(18.02.2022) 2P 3C