



WEB COPY

W.P(MD)No.5816 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No. 5816 of 2022

and WMP(MD) Nos.4614 & 4615 of 2022

Essakki

.. Petitioner

Vs

The Authorized Officer,
Equitas Small Finance Bank Limited,
4th Floor, Phase II, Spencer Plaza, No.769,
Mount Road, Anna Salai, Chennai - 600 002.

.. Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the impugned order dated 09.12.2021 passed in CrI.M.P.No.5938 of 2021, on the file of learned Chief Judicial Magistrate, Thoothukudi, filed under Section 14 of SARFAESI Act, 2002 by the respondent bank and quash the same as illegal and consequently direct the respondent bank to accept the repayment in installments basis or one time settlement with the waver of interest.

For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondent : Ms.V.S.Ragaventhree

ORDER

[Made by R.VIJAYAKUMAR, J.]

The present writ petition has been filed challenging the order passed under Section 14 of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as 'SARFAESI Act').

2. According to the petitioner, now he has deposited the entire amount and the loan account has been closed. The said statement is also confirmed by the learned counsel for the respondent bank.

<https://hcservices.gov.in/hcservices> survives in the present writ petition.



3. In view of the closure of the loan account, the order impugned in the writ petition is set aside. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions would not survive.

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Sd/-

Assistant Registrar (Admin I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Pkn

+1 CC to M/s.P.M. VISHNUVARTHANAN, Advocate (SR-22587[F] dated 29/04/2022)

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MGJ(13.05.2022) 2P 2C