



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P. (MD) No. 9496 of 2022

and

W.M.P. (MD) No. 6794 of 2022

A.Thomas

... Petitioner

-Vs-

1.The Authorized Officer / Deputy Zonal Manager,
The Catholic Syrian Bank Ltd.,
Zonal Office, 1st Floor,
Malankara Building Complex,
University Campus P.O., Palayam,
Thiruvananthapuram-695 034.

2.CSB Bank Ltd.,
(Formerly The Catholic Syrian Bank Ltd.),
Rep. by its Authorized Officer,
Asset Recovery Branch, 2nd Floor, Shiva Complex,
No.54, Old Post Office Road, Coimbatore-641018.

3.The Chief Judicial Magistrate,
Thoothukudi, Thoothukudi District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records the 3rd respondent made in Crl.M.P.No.1534 of 2022, dated 11.04.2022 and quash the same as non application of mind and consequently, to direct the respondents not to interfere in the peaceful possession of the petitioner in the house in Door No.2A, 2A1 & 2A2, Krishnarajapuram 6th Street, Thoothukudi Taluk, Thoothukudi District.

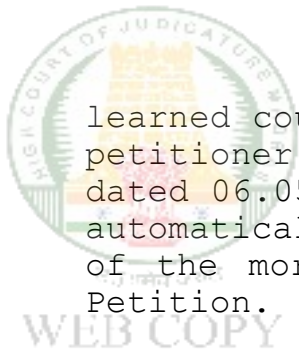
For Petitioner : Mr.K.Mahendran
For R1 and R2 : Mr.R.Pandivel

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

Challenging the possession notice dated 11.04.2022 issued by the 3rd respondent, this Writ Petition has been filed.

<https://www.mhc.tn.gov.in/judis> Today, when the matter was taken up for hearing, the



learned counsel for the respondents 1 and 2 submitted that : the petitioner has not complied with the conditional order of this Court dated 06.05.2022, the interim stay granted by this Court was vacated automatically. Therefore, the respondent Bank has taken possession of the mortgaged property. Hence, nothing survives in this Writ Petition.

3.Recording the aforesaid submission, this Writ Petition stands dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/10/2022

Sub Assistant Registrar(CS)

Myr

W.P. (MD) No. 9496 of 2022
22.09.2022

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