



W.P.(MD) No.14742 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

**W.P.(MD) No.14742 of 2022
and W.M.P.(MD) Nos.10532 & 10533 of 2022**

K.Vijayalakshmi

... Petitioner

-VS-

1.The Chief Judicial Magistrate,
Sivagangai.

2.The Authorised Officer,
Union Bank of India,
Kalayarkoil Branch,
Annai Complex, Arulsamy Building,
Madurai Thondi Road,
Kalayarkoil, Sivagangai District.

3.The Branch Manager,
Union Bank of India,
Kalayarkoil Branch,
Annai Complex, Arulsamy Building,
Madurai Thondi Road,
Kalayarkoil,
Sivagangai District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the impugned order passed by the first respondent in CrI.M.P.No.1054 of 2022 dated 10.06.2022 and quash the same as illegal.

For Petitioner : Mr.A.Shajahan

For Respondents : Mr.N.Dilipkumar for R2 & R3

ORDER

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

Challenging the order of the learned Chief Judicial Magistrate, Sivagangai, passed in CrI.M.P.No.1054 of 2022 dated 10.06.2022, the petitioner has filed this Writ Petition.

2. The learned counsel appearing for the petitioner submitted that the interim order dated 08.07.2022 passed by this Court has been complied with. He further submitted that due to financial difficulties and family circumstances, the petitioner is not in a position to pay the remaining outstanding amount and hence,



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the petitioner is inclined to approach the Debts Recovery Tribunal, Madurai to work out his remedy and therefore, the Writ Petition may be disposed of with a direction that if the petitioner files an application before the Debts Recovery Tribunal, Madurai, the same may be directed to be disposed of within a time frame.

3. In view of the above submission, this Writ Petition is disposed of, directing the petitioner to file necessary application before the Debts Recovery Tribunal, Madurai, within a period of four weeks from today and on such filing, the Presiding Officer, Debts Recovery Tribunal, Madurai is directed to consider the same and pass orders in accordance with law. Till such time, the respondents – Bank shall not take any coercive action against the petitioner. No costs. Consequently, connected miscellaneous petitions are closed.

[R.M.D., J.] [J.S.N.P., J.]
14.11.2022

vsm

Index : Yes / No

Internet : Yes / No



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R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

vsm

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