



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:04.01.2022

CORAM:

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

W.P(MD)NO.23201 OF 2021

and

W.M.P(MD)Nos.19630 and 19631 of 2021

K.R.Venkataraman

:Petitioner

.vs.

1.The Authorized Officer/The Chief Manager,
South Indian Bank,
Rajapalayam Branch,
Madurai.

2.The Chief Judicial Magistrate,
Madurai.

3.Vijay Anand

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records in C.R.M.P.No.334 of 2021, dated 17.11.2021, on the file of the second respondent and to quash the same as illegal, incompetent,unconstitutional and consequently forbear the first respondent from interfering with the Petitioner's house's possession premises at Plot No.78, Jawaharlal Nagar 8th Street, Maravakulam Village, Thirumangalam Taluk, Madurai District without due process of law.

For Petitioner	:No appearance
For Respondent-1	:Mr.R.Pandivel
	Standing Counsel
For Respondent-2	:Court

O R D E R

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

The Writ Petitioner has filed the above Writ Petition challenging the order passed under Section 14 of the SARFAESI Act,2002, by the Chief Judicial Magistrate, Madurai in C.R.M.P.No.334 of 2021, dated 17.11.2021.



2.Heard the learned counsel appearing for the first respondent/Bank and perused the materials placed before this court.

3.The Writ Petitioner is said to be a tenant of the borrower.

4.When the matter is taken up for hearing today, there is no representation on behalf of the Petitioner. Mr.R.Pandivel, learned Standing Counsel appearing for the first respondent/Bank submitted that pursuant to the impugned order passed, the possession was voluntarily handed over to the Bank on 30.12.2021 through the Advocate Commissioner. In view of the above, the impugned order automatically become infructuous.

5.Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsn

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

The Chief Judicial Magistrate,
Madurai.

ORDER MADE IN
W.P (MD) NO.23201 OF 2021
and
W.M.P (MD) Nos.19630 and
19631 of 2021
04.01.2022

NSN (CO)

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