



WEB COPY

W.P.No.184



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.No.18417 of 2023

K.Manoharan

..

Petitioner

..VS..

COSMOS Co-Operative Bank Ltd

Rep by Mr.Vivek V Imandar

Vepery Branch, Sriji Palace, Plot No.37

Old No.17, EVK Sampath Road

Vepery, Chennai-600007

..

Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for records dated 23rd February 2022 passed by the Hon'ble Chief Judicial Magistrate of Thiruvallur, in CRLMP No.4315/2022, and quash the same, forbear the respondent from interfering with the possession of the petitioner at the addresse Plot No.17, Flat No.1, Devaki Nagar, Part-1, First Street, Madhavaram Village, Ponnammanmedu, Kolathur, Chennai-600 110.



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For Petitioner : Mr.S.Rabi Jayakumar
For Respondent : Mr.P.Muthukumar
State Government Pleader

ORDER

This Writ Petition has been filed challenging the order of the Chief Judicial Magistrate, Thiruvallur dated 23rd February 2022, in CRL.M.P No.4315/2022 and to forbear the respondent from interfering with the possession of the petitioner at Plot No.17, Flat No.1, Devaki Nagar, Part-1, First Street, Madhavaram Village, Ponniammanmedu, Kolathur, Chennai-600 110.

2. Mr.P.Muthukumar, learned State Government Pleader takes notice for the Respondent. With consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The order impugned herein which is passed under Section 14(2) of the SARFAESI Act cannot be questioned by filing a Writ Petition. Hence, this Writ Petition is dismissed, leaving all the issues open for the Petitioner to be challenged before the appropriate forum. No costs.

[S.V.N., J.] [K.R.S., J]
23.06.2023

Index: Yes / No



Internet: Yes / No
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To

COSMOS Co-Operative Bank Ltd

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S. VAIDYANATHAN,J.,
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