



W.P(MD)No.1557 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :07.06.2023

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P(MD)No.1557 of 2022
and
W.M.P(MD)No.1369 of 2022

Mrs.Muthuselvi

... Petitioner

vs.

1.The Chief Judicial Magistrate,
Madurai.

2.The Authorized Officer,
Equitas Small Finance Bank Limited,
4th Floor, Phase II,
Spencer Plaza,
No.769, Mount Road,
Anna Salai,
Chennai – 600002.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari calling for the records culminating into the order dated 17.12.2021 in Cr.M.P.No.393 of 2021 under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act) passed by the first respondent and set aside the same as illegal.

For Petitioner
For R-2

: Mr.J.Venkateshkumar
: Mr.B.Baskar



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ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

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Challenge in this writ petition is to the order passed by the Chief Judicial Magistrate, Madurai, under Section 14 of SARFAESI Act.

2. It is seen from the affidavit filed by the Authorized Officer of the second respondent bank that the respondent bank has proposed to withdraw the notices issued under the SARFAESI Act, with liberty to issue fresh notices.

3. In view of the same, the impugned order of the learned Chief Judicial Magistrate, Madurai, dated 17.12.2021 in Cr.M.P.No.393 of 2021, is set aside, with liberty to the bank to proceed afresh in accordance with law. No Costs. Consequently, connected miscellaneous petition is closed.

(R.SUBRAMANIAN, J.) & (L.VICTORIA GOWRI, J.)

07.06.2023

Index : Yes / No

Neutral Citation : Yes / No

pm

To

The Chief Judicial Magistrate, Madurai.



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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.
pm

ORDER MADE IN
W.P(MD)No.1557 of 2022

DATED :07.06.2023