



W.P(MD)No.1356 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2023

CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE K.K. RAMAKRISHNAN**

**W.P(MD)No.1356 of 2021
and
W.M.P(MD)Nos.1152 and 1153 of 2021**

S.Saravanan

... Petitioner

Vs.

1.The Authorized Officer,
IDFC First Bank Limited,
No.79/2, 1st Floor,
Raja Barely Complex,
Bypass Road, Near Rathna Hospital,
Madurai – 625010.

2.The Hon'ble Presiding Officer,
Debts Recovery Tribunal,
Madurai.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the order passed in Cr.M.P.No.421/2020 dated 31.12.2020 on the file of the Chief Judicial Magistrate, Madurai and



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consequently forbearing the 1st respondent, their officers, men, agents, representatives, assigns and / or anyone claiming under or through them or on their behalf to desist from in any manner taking any action or coercive steps so as to take physical possession of the house property situated at Re-Surevey No.111/3, New S.No.47, Eastern portion of Plot No.23, building bearing No.6/16, Cyclone Colony, Keela Vaithiyanathapuram, Thathaneri Village, Madurai North Taluk, Madurai District and without awaiting the outcome of S.A.No.28 of 2021 pending before the Hon'ble Debts Recovery Tribunal, Madurai filed by the petitioner challenging the order dated 31.12.2020 passed by the Chief Judicial Magistrate, Madurai in Cr.M.P.No.421/2020.

For Petitioner : No Appearance

For R-1 : Mr.A.Sivasubramanian

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

None appears for the petitioner.



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2. Heard Mr.A.Sivasubramanian, learned Advocate appearing for the first respondent bank.

3. The learned Advocate for the bank submits that the petitioner is challenging the order passed under Section 14 of the SARFAESI Act, 2002. The learned Advocate further submits that the loan account is closed.

4. In the light of the above statement made by the learned Advocate for the bank, nothing survives for adjudication in this writ petition.

5. The writ petition as such is disposed of. No Costs. Consequently, connected Miscellaneous Petitions are closed.

[S.V.G., C.J.]

[K.K.R.K., J.]

28.11.2023

Index : Yes / No

Neutral Citation : Yes / No

PM

To:

The Hon'ble Presiding Officer,
Debts Recovery Tribunal,
Madurai.



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THE HONOURABLE CHIEF JUSTICE
and
K.K. RAMAKRISHNAN, J.

PM

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