



W.P(MD)No.5044 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 30.08.2023

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE C.KUMARAPPAN**

W.P(MD)No.5044 of 2020
and
W.M.P(MD)No.4377 of 2020

K.Rajeshkanna

... Petitioner

Vs.

1.The District Collector,
Collector's Office,
Cantonment,
Trichy District.

2.The Authorized Officer,
Tamil Nadu Mercantile Bank Ltd.,
Kulithalai.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the proceedings Na.Ka.G5/7996/2019 dated 31.01.2020 issued by the first respondent and quash the same as illegal and unconstitutional and consequently direct the respondents to extent the time limit to regularize the loan account of the petitioner.



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For Petitioner : Mr.R.Venkatesh
For R-1 : Mr.J.Ashok,
Additional Government Pleader
For R-2 : Mr.N.Dilip Kumar,
Standing Counsel

ORDER

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

We have heard Mr.R.Venkatesh, learned counsel for the petitioner, Mr.J.Ashok, learned Additional Government Pleader for the first respondent and Mr.N.Dilip Kumar, learned Standing Counsel for the second respondent.

2. The learned Standing Counsel for the bank submits that now the respondent bank would not be pursuing the application with the District Collector and they would be filing the application with the Chief Judicial Magistrate under Section 14 of the SARFAESI Act, 2002.



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3. In view of that, the prayer in the writ petition does not survive.

Hence, the writ petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(C.K., J.)

30.08.2023

NCC : Yes/No
Index : Yes/No
PM

The District Collector,
Collector's Office,
Cantonment,
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C.KUMARAPPAN, J.

PM

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