



W.P(MD)No.4854 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.08.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P(MD)No.4854 of 2023
and
W.M.P(MD)Nos.4538, 4539 and 14702 of 2023**

M/s.N.P.K.Fruits
Represented by its Proprietor,
Mr.K.Annadurai,
No.37, Nelpettai Street,
Gandhi Market,
Tiruchirapalli.

... Petitioner

-VS-

1. The Authorised Officer,
Indusland Bank Limited,
Financial Restructuring and Reconstruction Group(FRRG),
No.25, "Steeple Reach", A Block 3rd Floor,
Radhakrishnan Salai, Cathedrak Road,
Gopalapuram, Chennai 600 086.

2. The Authorised Officer,
Indusland Bank Limited,
Financial Restructuring and Reconstruction Group(FRRG),
Premier Plaza, No.122/5,
Bharathiar Salai, Cantonment,
Tiruchirapalli 620 001.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the measures u/s 14 of Sarfeasi Act initiated by the



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respondent's bank in CrI.M.P.No.5832 of 2022, order dated 31.01.2023 (pending on the file of Chief Judicial Magistrate Court at Tiruchirapalli) and quash the same.

For Petitioner : Mr.G.Peranban
For Respondent : Mr.B.Baskar

ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

This writ petition is challenging the order passed by the learned Chief Judicial Magistrate, Tiruchirappalli, in CrI.M.P.No.5832 of 2022, dated 31.01.2023 in the application filed by the respondent Bank under Section 14 of the SARFAESI Act.

2. The petitioner has not come out with any concrete proposal regarding settlement of dues. In the said circumstances, this Court is not inclined to entertain the writ petition.

3. Hence, leaving it open to the petitioner to approach the Debts Recovery Tribunal, by filing appropriate application, this Writ Petition is dismissed. No costs. The interim stay already granted by this Court is extended for a period of two weeks from



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today enabling the petitioner to approach the Debts Recovery Tribunal. Connected miscellaneous petitions are closed.

[S.S.S.R, J.] [D.B.C., J.]
16.08.2023

Index : Yes / No
Neutral Citation : Yes / No
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