



W.P.(MD) No.5582 of 2023

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 15.03.2023**

**CORAM:**

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

**W.P.(MD) No.5582 of 2023  
and  
W.M.P.(MD) Nos.5213 & 5215 of 2023**

J.Dhanapackia Lakshmi

... Petitioner

-VS-

1.The District Collector cum  
District Magistrate  
Madurai District

2.The Tahsildar  
Madurai North Taluk & District

3.The Inspector of Police  
Tallakulam Police Station  
Madurai

4.The Authorized Officer  
GIC Housing Finance Ltd.,  
C & D, A.R.Plaza, 16 & 17  
North Veli Street  
Madurai-01

... Respondents



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**WEB C** **PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari to call for the records of the impugned order passed by the second respondent in Na.Ka.No/7001/2023/E3, dated 30.01.2023 and quash the same as illegal.

For Petitioner : Mr.S.Prakash

For Respondents : Mr.A.Baskaran  
Additional Government Pleader for R1 to R3  
Mr.Meenakshi Rama Prabhu  
Standing Counsel for R4

**ORDER**

**[Order of the Court was made by R.SUBRAMANIAN, J.]**

Challenge in this writ petition is to the order of the Tahsildar, Madurai North Taluk, dated 30.01.2023, seeking implementation of the order of the District Collector (Executive Magistrate), Madurai, dated 08.07.2022, passed under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

**2.** Mr.Meenakshi Rama Prabhu, learned Standing Counsel, appearing for the respondent – Bank, would submit that the petitioner had already challenged the order of the District Collector (Executive Magistrate),



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Madurai, dated 08.07.2022, in W.P.(MD) No.17187 of 2022 and the same was disposed of, on 17.11.2022, with liberty to the petitioner to approach the Debts Recovery Tribunal. However, the petitioner has not approached the Debts Recovery Tribunal, but has chosen to challenge the consequential order dated 30.01.2023. Since the challenge to the main order dated 08.07.2022, passed by the District Collector (Executive Magistrate), Madurai, has failed, we do not think we can entertain this writ petition challenging the consequential order.

**3.** Hence, the writ petition is dismissed. However, it is open to the petitioner to take appropriate proceedings before the Debts Recovery Tribunal. No costs. Consequently, connected miscellaneous petitions are closed.

**[R.S.M., J.]**

**[L.V.G., J.]**

**15.03.2023**

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

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**L.VICTORIA GOWRI, J.**

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