



**W.P.(MD) No.11253 of 2023**

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

**DATED : 05.06.2023**

**CORAM:**

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

**W.P.(MD) No.11253 of 2023**

The Authorised Officer  
Tamilnad Mercantile Bank Ltd.,  
Tirunelveli Main Branch, Tirunelveli

... Petitioner

-VS-

1. C.Wilson Gnanadoss

2. C.Malini

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to calling for the records pertaining to the order dated 26.12.2022 in Criminal Miscellaneous Petition No. 6478/2022 passed by the Chief Judicial Magistrate, Tirunelveli herein and to quash the same as illegal and arbitrary and further direct the Chief Judicial Magistrate, Tirunelveli to pass order in the S.14 application within a reasonable stipulated time.



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For Petitioner : Mr.ARM.Ramesh

**ORDER**

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

The learned Chief Judicial Magistrate, Tirunelveli, has rejected the application under Section 14 of the SARFAESI Act, solely on the ground that the Securitisation Application is pending before the Debts Recovery Tribunal.

2. Learned counsel appearing for the petitioner – bank would submit that after filing of the writ petition, the Securitisation Application has been dismissed by the Debts Recovery Tribunal.

3. Hence, the writ petition is closed leaving it open to the bank to approach the learned Chief Judicial Magistrate again. No costs.

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

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

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NCC : No  
Index : No



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**R.SUBRAMANIAN, J.**  
**AND**  
**L.VICTORIA GOWRI, J.**

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