



W.P.(MD) No.12394 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2023

CORAM:

**THE HON'BLE MR.SANJAY V.GANGAPURWALA,
CHIEF JUSTICE**

and

THE HON'BLE MR.JUSTICE P.VADAMALAI

W.P.(MD) No.12394 of 2023

V.Balakrishnan

... Petitioner

-VS-

1.Equitas Small Finance Bank Limited,
Represented by its Authorised Officer,
4th Floor, Phase II, Spencer Plaza
No.769 Mount Road
Anna Salai, Chennai 600 002.

2.M.Boseraja

3.M.Veluchamy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the 1st respondent to de-seal the petitioner's shop located on the ground floor of the building bearing Plot No.1/49 Kasimali Nagar, Batlagundu Road, Dindigul Town and allow the petitioner to vacate the same by taking machineries in the shop premises based on the petitioner's representation



W.P.(MD) No.12394 of 2023

dated 15.05.2023 within the time stipulated by this Court.

For Petitioner : Mr.P.Manikandan
For Respondent : Mr.R&P Partners for R1

ORDER

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

Heard Mr.P.Manikandan, learned counsel for the petitioner and M/s.R&P Partners, learned counsel for the respondent Bank.

2. The present writ petition is filed with a direction to de-seal the petitioner's shop. Reliance is placed on the judgment delivered by this Court in a Writ Petition filed by the petitioner earlier in W.P.(MD) No.16623/2022 decided in the order dated 02.08.2022, wherein, the bank was directed to deliver the possession of the premises to the petitioner with a further sum of Rs.10,000/-.

3. The learned Advocate for the Bank submits that the said order was challenged by the bank by filing Special Leave Petition and the Apex Court has



W.P.(MD) No.12394 of 2023

WEB COPY stayed the said order on 14.10.2022. The learned counsel for the Bank submits that the Special Leave Petition is still pending before the Apex Court.

4. In view of the fact that the earlier order of this Court is stayed by the Apex Court, no further orders can be passed in the present writ petition. Depending upon the orders that would be passed by the Apex Court, the parties may take further course. The writ petition stands dismissed. However, there is no order as to costs.

[S.V.G., CJ.]

[P.V.M, J.]

28.08.2023

NCC : Yes / No

Index : Yes / No

RR



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W.P.(MD) No.12394 of 2023

THE HON'BLE THE CHIEF JUSTICE
and
P.VADAMALAI, J.

RR

W.P.(MD)No.12394 of 2023

28.08.2023