



W.P.(MD) No.14312 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2023

CORAM:

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

**W.P.(MD) No.14312 of 2023
and
W.M.P.(MD) Nos.12114 and 12116 of 2023**

M/s.VKN Fuels
Rep. by its Sole Proprietor
K.N.Kannappan

... Petitioner

-VS-

Indian Bank,
Thillai Nagar Branch,
Having its Corporate Office
at 254-260, Avvai Shanmugham Salai,
Royapettah, Chennai 600 014.
One of its Branch at Thillai Nagar,
C-40, Third Cross, Thillai Nagar East,
Trichy 620 018.

Rep. by its Assistant General Manager/
The Authorised Officer,

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WEB COURT M.Tarakeswara Rao.

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... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the entire records pertaining to order dated 09.02.2023 in Cr.M.P.No. 25679 of 2022 on the file of the learned Chief Judicial Magistrate, Tiruchirappalli and quash the same as illegal and arbitrary and in consequence thereof direct the respondents to accept the loan amount due to the bank in installments.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondent : Mr.R.Pandivel

ORDER

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

In view of the fact that the Debts Recovery Tribunal, Madurai, is not manned, we are entertaining this writ petition.

2. Mr.R.Pandivel, learned Standing Counsel, takes notice for the respondent – Bank. With the consent of both sides, this writ petition is taken up for final hearing at the admission stage itself.



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3. Mr.R.Pandivel, learned Standing Counsel appearing for the respondent – Bank would submit that the possession has been taken on 16.06.2023 and has been handed over to the auction-purchaser.

4. Hence, this writ petition stands dismissed reserving the liberty to the petitioner to approach the jurisdictional Debts Recovery Tribunal. No costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M., J.] [L.V.G., J.]

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NCC : No
Index : No
Internet : Yes
PKN



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AND
L.VICTORIA GOWRI, J.

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