



W.P.(MD)No.17565 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.07.2023

CORAM

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**

and

THE HONOURABLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P(MD)No.17565 of 2023

and

W.M.P(MD)Nos.14662 & 14664 of 2023

A.Rajkumar

... Petitioner

Vs.

1.The Tahsildar,
Nilakottai Taluk,
Dindigul District.

2.The Inspector of Police,
Viruvedu P.S.,
Nilakottai Taluk,
Dindigul District.

3.Aspire Home Finance Corporation Limited,
Shop No.2 First Floor, 'V' Complex,
Door No.6/81
Avadi Main Road, Sennerkuppam,
Poonamalle,
Chennai-600 056.
Through its Authorized Officer,

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to
issue a Writ of Certiorarified Mandamus, calling for the entire records



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connected with the impugned order passed by the learned Chief Judicial Magistrate, Dindigul in Cr.M.P.No.14338 of 2022, dated 13.02.2023 and quash the same and direct the third respondent to receive the debt amount from the petitioner by giving sufficient reasonable opportunity.

For Petitioner	: Mr.K.K.Kannan
For R-1 & R-2	: Mr.J.K.Jeyaseelan Government Advocate

ORDER

(Order of the Court was made by **S.S.SUNDAR, J.**)

The Writ Petition is filed challenging the impugned order passed by the learned Chief Judicial Magistrate, Dindigul in Cr.M.P.No. 14338 of 2022, dated 13.02.2023.

2. Against the said order, the petitioner has an effective alternative remedy before the Debts Recovery Tribunal, Madurai. Therefore, this Court is not inclined to entertain the Writ Petition. Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.



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3. However, the petitioner may approach the third respondent finance company and submit a representation within a period of two weeks from today either for waiver of penal interest or for One Time Settlement or for re-structuring the loan or for any other concession, as may be permissible under the guidelines of Reserve Bank of India or the norms applicable to the respondents. The third respondent shall consider the same and pass appropriate orders in accordance with law. Till such time, the third respondent consider the representation of the petitioner on merits and communicate the decision taken to the petitioner, the third respondent shall not initiate any coercive action against the petitioner.

[S.S.S.R., J.] [D.B.C., J.]
20.07.2023

NCC : Yes / No
Index : Yes / No
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S.S.SUNDAR, J.

and

D.BHARATHA CHAKRAVARTHY, J.

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To

- 1.The Tahsildar,
Nilakottai Taluk,
Dindigul District.
- 2.The Inspector of Police,
Viruveedu P.S.,
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