



W.P.(MD) No.21060 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2023

CORAM:

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**W.P.(MD) No.21060 of 2023
and
W.M.P.(MD) Nos.17466 & 17467 of 2023**

Ramdass

... Petitioner

-vs-

The Authorized Officer
Manappuram Home Finance Limited
No.26, First Floor
Palaniyappa Complex
Sannathi Street
Opp.Kaliyamman Kovil
Thirunavaikoil, Tiruchirappalli-620 005

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari calling for the entire records pertaining to the impugned possession notice issued by the respondent dated 13.12.2022 as well as the order passed in CrI.M.P.No.4267 of 2023, dated 28.07.2023, on the file of Chief Judicial Magistrate Court of Trichy District at Trichy and quash the same.

For Petitioner : Mr.P.M.Vishnuvarthanan



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ORDER

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

We have heard the learned counsel for the petitioner.

2. The petitioner is challenging the order passed under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. Under the said order, the Advocate Commissioner was directed to file a memo and report by 14.08.2023.

3. Learned counsel appearing for the petitioner submits that the possession is not yet taken by the respondent – Bank and the petitioner is ready to pay the entire amount, however, sometime is solicited by him.

4. The petitioner may make a request before the Debts Recovery Tribunal to that effect, which would be considered by the Debts Recovery Tribunal, on its own merits.



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5. In the light of that, the writ petition is disposed of with liberty to the petitioner to avail the alternative remedy. All contentions are kept open. No costs. Consequently, connected miscellaneous petitions are closed.

[S.V.G., .C.J.]

[C.K., J.]

29.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:
The Chief Judicial Magistrate,
Trichy.



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THE HONOURABLE CHIEF JUSTICE
and
C.KUMARAPPAN, J.

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