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W.P.(MD) No.20212 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P.(MD) No.20212 of 2023
and
W.M.P.(MD) Nos.16683 & 16685 of 2023**

G.Sonaimuthu

... Petitioner

-vs-

1.The Authorised Officer
Central Bank of India
Regional Office
1st Floor, Raja Muthaiah Mandram
Dr.Ambedkar Road
K.K.Nagar, Madurai-625 020

2.The Branch Manager
Central Bank of India
Manamadurai Branch
No.174, Bye Pass Road
Near New Bus Stand
Manamadurai
Sivagangai District

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records pertaining to the impugned order passed by the learned Judicial Magistrate Court, Sivagangai, made in Crl.M.P.No.10102 of 2022, dated 10.02.2023 and quash the same as illegal and unconstitutional and consequently forbearing the respondents from in any manner dispossessing the petitioner from his house property comprised in Old T.S.No.2 and 5 (Part), New T.S.No.5/2, 5/3A of an extent of 790 sq.ft., situated at Ward No.3, Pudur Road Street, Society layout 1st Street, Sivagangai Town and Taluk and Sivagangai District.

For Petitioner : Mr.C.Gangai Amaran

For Respondents : Mr.N.Dilip Kumar

ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

This writ petition is filed challenging the order dated 10.02.2023, passed in Crl.M.P.No.10102 of 2022, by the learned Chief Judicial Magistrate, Sivagangai, under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.



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2. This Court finds that the petitioner is unable to point out any irregularities in the impugned order so as to entertain this writ petition and he has an effective alternative remedy of approaching the Debts Recovery Tribunal as against the impugned order passed by the learned Chief Judicial Magistrate.

3. In such circumstances, giving liberty to the petitioner to approach the Debts Recovery Tribunal for appropriate relief, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[S.S.S.R., J.]

[D.B.C., J.]

21.08.2023

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

krk

To:
The Chief Judicial Magistrate,
Sivagangai.



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