



W.P(MD)No.22516 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2023

CORAM:

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

**W.P(MD)No.22516 of 2023
and
W.M.P(MD)Nos.18750 & 18751 of 2023**

P.Mohamed Jaleel

... Petitioner

-VS-

M/s.The Jana Small Finance Bank Ltd.,
Rep. by its Authorized Officer,
No.74, Lucky Land Plaza,
Salai Road, Thillai Nagar,
Trichy Branch,
Trichy.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the learned Chief Judicial Magistrate, Tiruchurapalli in Cr.M.P.No.21006 of 2023 dated 27.07.2023 and quash the same as illegal and consequently direct the Respondent to consider the Petitioner's request for one time settlement in respect of the loan account No.4604940001053 and another loan account No.460494200003134.

For Petitioner : Mr.A.Mohamed Riyaz



W.P(MD)No.22516 of 2023

For Respondent : Mr.Babu

WEB COPY

ORDER

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

The Petitioner has filed this Writ Petition challenging the impugned order passed by the learned Chief Judicial Magistrate, Tiruchurapalli, in Cr.M.P.No.21006 of 2023, dated 27.07.2023, and consequently direct the respondent to consider the petitioner's request for one time settlement in respect of the loan account Nos.4604940001053 and 460494200003134.

2. Heard Mr.A.Mohamed Riyaz, learned counsel for the petitioner and Mr.Babu, learned Standing Counsel for the respondent.

3. This Court finds no reason to entertain the Writ Petition as the petitioner has an effective alternative remedy of approaching the Debts Recovery Tribunal, challenging the impugned order.

4. Though the petitioner is willing to pay substantial amount, he expects this Court to grant interim order so that possession would be handed over to him, for which the learned counsel respondent is not willing.



W.P(MD)No.22516 of 2023

5. Therefore, with the liberty preserved to the petitioner to approach the Debts Recovery Tribunal challenging the impugned order, this Writ Petition is dismissed. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

[S.S.S.R, J.] [D.B.C., J.]
15.09.2023

Index : Yes / No
Neutral Citation : Yes / No
sj



WEB COPY



W.P(MD)No.22516 of 2023

S.S.SUNDAR, J.
and
D.BHARATHA CHAKRAVARTHY, J.

sj

W.P(MD)No.22516 of 2023

15.09.2023