



W.P.(MD)No.25018 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 09.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.25018 of 2022

and

W.M.P.(MD)Nos.19117 & 19118 of 2022

L.Subramaniyan

... Petitioner

Vs.

1.The Chief Judicial Magistrate,
Sivagangai.

2.The Authorized Officer,
HDFC Ltd (Housing Development Finance Corporation Ltd),
No.406, Sakthi Sivam Plaza,
Pumping Station Road, 9th Cross Street,
K.K.Nagar (East) Madurai.

3.The Inspector of Police,
Town Police Station,
Thirupattur, Sivagangai District.

...Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of the impugned order passed by the 1st respondent in Cr.M.P.No.5492 of 2022 dated 02.09.2022 and to quash the same as illegal.

For Petitioner : Mr.A.Shajahan

For R2 : Mr.N.S.Karthikeyan

ORDER

(Order of the Court was made by ***R.SUBRAMANIAN, J.***)

The learned counsel appearing for the petitioner would submit that pursuant to the order of the Chief Judicial Magistrate, the bank has taken a possession.

2.Today when the matter came up for hearing, the learned counsel appearing for the petitioner seeks leave to approach the Debt Recovery Tribunal, Madurai.

3.Recording the submission of the learned counsel appearing for the petitioner, this writ petition is dismissed. It is open to the petitioner to



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seek exclusion of the period during which the writ petition was pending before the DRT. No costs. Consequently, connected miscellaneous petitions are closed.

(R.S.M., J.) & (L.V.G., J.)
09.03.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To

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Sivagangai.

2.The Authorized Officer,
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L.VICTORIA GOWRI, J.

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