



W.P.(MD)No.24677 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **11.10.2023**

CORAM

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**
AND
THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD)No.24677 of 2023
and W.M.P.(MD) Nos.20861, 20863 and 20864 of 2023

1.P.V.Himlar
2.P.V.Jimlar

...Petitioners

-Vs.-

The Branch Manager,
Canara Bank,
Colachel Road,
Monday Market, Neyyoor – 629 802,
Kanyakumari District.

...Respondents

PRAYER:- Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorari, to call for records relating to the Impugned Order passed by the learned Chief Judicial Magistrate, Kanniyakumari District at Nagercoil in Criminal Miscellaneous Petition No.11373 of 2023 dated 21.09.2023 and all proceedings in furtherance thereof and quash the same as illegal and void.

For Petitioners : Mr.K.Ragatheesh Kumar

For Respondent : Mr.N.Dilip Kumar



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ORDER

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(Order of the Court was made by **V.LAKSHMINARAYANAN, J.**)

The order impugned in the Writ Petition is one passed under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

2. The impugned order has been passed by the Chief Judicial Magistrate, Kanniyakumari District at Nagercoil. Against this order, an appeal lies to the Debts Recovery Tribunal, Madurai.

3. Therefore, granting one month time to the petitioner to invoke the jurisdiction of the Debts Recovery Tribunal, this Writ Petition is dismissed. No costs. Consequently, connected Writ Miscellaneous Petitions is closed.

**[S.M.S.J.,] & [V.L.N.J.,]
11.10.2023**

NCC :Yes/No
Index :Yes/No
SJ



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S.M.SUBRAMANIAM, J.
AND
V. LAKSHMINARAYANAN, J.

SJ

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