



W.P.(MD) No.27698 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.27698 of 2022

and

W.M.P.(MD)Nos.21812 and 23038 of 2022

Manateri Kamaraj

... Petitioner

-Vs-

1.The Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

2.The Authorized Officer,
Vistaar Financial Services Private Ltd.,
Plot No.59 & 60-23, 22nd Cross,
29th Main, BTM Layout,
2nd Stage, Bengaluru-560076.

Page 1 of 4



W.P.(MD) No.27698 of 2022

WEB COURT

3.The Branch Manager,

Vistaar Financial Services Private Ltd.,

TP Mills Road, Rajapalayam,

Virudhunagar District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order passed by the 1st respondent in Cr.M.P.No.6001 of 20222, dated 09.11.2022 and quash the same and consequently, forbear the respondents 2 and 3 from taking physical possession of the secured asset from the writ petitioner.

For Petitioner : Mr.R.Niresk Kumar

For R2 and R3 : Mr.M.Karunanithi

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Challenging the order of the 1st respondent dated 09.11.2022 made in Cr.M.P.No.6001 of 20222, this Writ Petition is filed.

2.Today, when the matter was taken up for hearing, the learned counsel for the petitioner fairly submitted that the conditional interim order of this Court dated 08.12.2022 has not been complied with.

Page 2 of 4



W.P.(MD) No.27698 of 2022

WEB COPY

3.The learned counsel for the respondents 2 and 3 submitted that since the petitioner has not complied with the conditional interim order of this Court dated 08.12.2022, the 3rd respondent has taken the possession.

4.In the light of the above submissions, nothing survives for further adjudication in this Writ Petition. Accordingly, this Writ Petition stands dismissed. However, if there is any grievance exist, it is for the petitioner to workout his remedy in the manner known to law. No costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.] & [R.V., J.]
03.01.2023

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

MYR

Page 3 of 4



WEB COPY



W.P.(MD) No.27698 of 2022

D.KRISHNAKUMAR, J.

AND

R.VIJAYAKUMAR, J.

MYR

W.P.(MD)No.27698 of 2022

03.01.2023