



WP No.12455 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

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P.Pownambal

: Petitioner

versus

1.The Recovery Officer-I,
Debts Recovery Tribunal, Coimbatore

2.M/s.Indian Bank,
rep. By its Branch Manager,
Manjini Branch, Manjini Post,
Athur Taluk, Salem District

3.K.Kalairani

4.K.J.Dinesh Kumar

5.The District Collector,
Salem District

6.The Commissioner of Police,
Salem District

7.Jayabrabha

8.K.Vignesh Kumar

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the order passed by 1st respondent in R.P.No.56/2003 DRC No.47/2003 in TA No.2063/2002 on 16.02.2024 and



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quash the same as non-est in the eye of law and invalid.

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For Petitioner : Mr.M.Sridhar
For Respondent No.6 : Mr.R.Muniyapparaj,
Additional Public Prosecutor,
assisted by Mr.M.Sylvester John,
Government Advocate

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.M.Sridhar, learned counsel for the petitioner and Mr.R.Muniyapparaj, learned Additional Public Prosecutor, for the sixth respondent.

2. This writ petition is filed challenging the order of the first respondent, appointing Advocate Commissioners to handover possession of the property to the bank.

3. Learned counsel for the petitioner submits that the petitioner has filed an appeal and the same is pending before the Debts Recovery Tribunal.



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4. In that event, the petitioner may seek necessary orders as may be permissible under law, before the Debts Recovery Tribunal, where the appeal filed by the petitioner is pending. In that event, all contentions are kept open.

5. The writ petition stands disposed of. There shall be no order as to costs. Consequently, WMP Nos.13605 and 13607 of 2024 are closed.

(S.V.G., C.J.)

(J.S.N.P., J.)

29.04.2024

Index : Yes/No
Neutral Citation : Yes/No
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To

- 1.The Recovery Officer-I,
Debts Recovery Tribunal, Coimbatore
- 2.The Branch Manager,
M/s.Indian Bank,
Manjini Branch, Manjini Post,
Athur Taluk, Salem District
- 3.The District Collector, Salem District
- 4.The Commissioner of Police, Salem District



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THE HON'BLE CHIEF JUSTICE

AND

J.SATHYA NARAYANA PRASAD, J.

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