



WEB COPY



W.P.No.21336 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2024

CORAM:

THE HON'BLE MR.D.KRISHNAKUMAR
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.21336 of 2024

V.Althaf Tanning Company
Rep. by its Proprietor
Mr.V.Althaf Basha,
No.234, Kailasagiri Salai,
Periyavarikkam Post,
Thuthipet, Ambur,
Thirupathur District-635 802.

... Petitioner

-VS-

Canara Bank,
Ambur Branch,
Rep. by its Authorized Officer,
No.19 and 20, Kosa Street,
Ambur, Thirupathur District-635 802.
Respondent

...

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent Bank to allow the petitioner to take back all the movable things and all machineries installed in the properties comprised in New S.No.241/1B1 extent Hec.0.56.50 ares situated at Periyavarikkam Village, Ambur Taluk, Thirupatur District based on the petitioner's representation dated 12.06.2024.

For Petitioner : Mr.K.Anbu Manikandan

For Respondent : Mr.M.A.Abdul Wahab



WEB COPY

W.P.No.213 of 2024



ORDER

(By Hon'ble Acting Chief Justice)

This Writ Petition has been filed for a direction to the respondent Bank to allow the petitioner to take back all the movable things and all machineries installed in the properties comprised in New S.No.241/1B1 extent Hec.0.56.50 ares situated at Periyavarikkam Village, Ambur Taluk, Thirupatur District based on the petitioner's representation dated 12.06.2024.

2. When the matter is taken up for hearing, by referring to Paragraph No.7 of the counter affidavit dated 20.09.2024, it is represented by the learned counsel for the respondent Bank that the petitioner shall serve notice on the Bank, informing them the date and time to remove the machineries installed in the properties in question, so as to enable the Officials to be present on the specified date and the Bank has no objection in permitting the petitioner to remove the machineries.

3. In view of the submission made by the learned counsel for the Bank, the petitioner shall serve notice on the Bank within a period of one week from the date of receipt of a copy of this order, intimating the Bank as to the exact date and time to remove the machineries. On receipt of the notice, the Officials of the Bank shall be



W.P.No.213 of 2024

present on the fixed date and time and make arrangement for removal of the machineries of the petitioner from the premises. The Bank shall also prepare a Panchanama in respect of the articles and hand over a copy of the same to the petitioner.

4. With the above direction, this Writ Petition is disposed of. No costs.

[D.K.K.,ACJ.]

[M.J.R,J.]

26.09.2024

Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order

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WEB COPY



W.P.No.21336 of 2024

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W.P.No.21336 of 2024

26.09.2024