



WEB COPY



W.P.No.24446 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.No.24446 of 2024

ADITYA BIRLA FINANCE LIMITED
REP BY ITS AUTHORISED OFFICER
HAVING REGISTERED OFFICE AT
INDIAN RAYON COMPOUND,
VERAVAL, GUJARAT-326266.
ALSO BRANCH OFF AT.
UNIT 10 AND 12, 06TH AND 4TH FLOOR,
OVAL VENKAT NARAYAN ROAD
T.NAGAR, CHENNAI-600 017.

.. Petitioner

Vs

1. THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE.
2. SRI KRISHNA STORE
15A, LAXMI MAHAL,
VASANTHA MILL ROAD, SINGANALLUR,
COIMBATORE-641 005.
3. MURUGESAN KAMARAJ
4. RAJASELVI

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India



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seeking issuance of a writ of mandamus directing the Chief Judicial Magistrate, Coimbatore to provide administrative assistance on an expeditious basis, to take possession of the Secured Asset with respect to the petition filed under Section 14 of the SARFAESI Act, 2002, filed by the petitioner on 14.09.2023.

For the Petitioner : Mr.Abishek Jenasenan

ORDER

(Order of the Court was made
by the Hon'ble Acting Chief Justice)

This writ petition has been filed by the petitioner for issuance of a writ of mandamus directing the Chief Judicial Magistrate, Coimbatore to provide administrative assistance on an expeditious basis to take possession of the secured asset qua the petition dated 14.9.2023 filed under Section 14 of the SARFAESI Act, 2002.

2. Learned counsel for the petitioner submitted that the borrower has filed an appeal before the Debts Recovery Tribunal, wherein a conditional order has been passed.



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3. In view of the above, nothing survives for adjudication in the present writ petition. The writ petition is, accordingly, disposed of. However, liberty is granted to the petitioner to approach this Court, at a later stage, if necessity arises. There shall be no order as to costs. Consequently, W.M.P.No.26743 of 2024 is closed.

(D.K.K., ACJ.) (P.B.B, J.)
29.08.2024

Index : Yes/No
NC : Yes/No
bbr

To:

THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE.



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