



WP No.28448 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2024

CORAM

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No.28448 of 2024

and

WMP Nos.31019 and 31021 of 2024

M/s.Nilgiris Cotton Mill
Proprietor V.Prakash

: Petitioner

versus

- 1.The Reserve Bank of India,
rep. By its Governor,
Rajaji Salai,
Chennai 1
- 2.The Canara Bank Head Office,
No.563, PB 10678, No.1, Anna Salai,
Teynampet,
Chennai 18
- 3.The Authorised Officer,
Canara Bank, Karumathampatti Branch,
Somanur Main Road,
Karumathampatti 641 659
- 4.Chief Judicial Magistrate,



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WEB COPY Tiruppur District Court,
Tiruppur

5.J.Srijayavathi

6.P.Devaraj : Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records of the 4th respondent in Chief Judicial Magistrate, Tiruppur, dated 16.05.2024, in Crl.M.P.No.3902 of 2024 and quash the same and direct the 3rd respondent to de-seal the property which was not subject-matter of the loan.

For Petitioner : Mr.M.Venkadesh Kumar

For Respondents 2, 3 : Mr.R.Sreedhar

ORDER

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

The petition is filed impugning the order dated 16.05.2024, passed by respondent No.4.

2. Disputed questions of facts are involved in this writ petition.



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Moreover, petitioner has an alternative remedy. Petitioner may approach the Debts Recovery Tribunal. Petition, therefore, stands dismissed. There will be no order as to costs. Consequently, all the interim applications also stand dismissed.

(K.R.SHRIRAM, C.J.)

**(SENTHILKUMAR RAMAMOORTHY,
J.)**

03.10.2024

Index : Yes/No
tar

To

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Teynampet, Chennai 18
- 3.The Authorised Officer,
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Tirupur District Court, Tiruppur



WEB COPY



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THE HON'BLE CHIEF JUSTICE

AND

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(tar)

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