



W.P.(MD) No.1953 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD) No.1953 of 2024
and W.M.P.(MD) Nos.1952 and 1953 of 2024**

Nambiyappan

... Petitioner

-VS-

1.Karur Vysya Bank Ltd.,
Lalgudi Branch,
SF No. 136/7, 136/8,
Trichy Main Road,
Lalgudi,
Trichy District – 621 601.

2.The Authorized Officer,
The Karur Vysya Bank Ltd,
Asset Recovery Branch,
R.S.No.170/9, Uthangudi Village,
Near Mattuthavani Bus Stand,
Madurai – 625 107.

3.N.Rajendran

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records in pertaining to the impugned order made in Cr.M.P.No.39331/2023 on the file of the Chief Judicial Magistrate, Trichy District at Trichy dated 22.12.2023 passed under Section 14 of the SARFAESI Act and quash the same and consequently direct the 1st to 3rd respondents to return the physical possession to the petitioner item number 1 and 2 as per the impugned order dated 22.12.2023.

For Petitioner : Mr.A.Azhageson

For Respondents : Ms.R.Pandivel
Standing Counsel for R1 and R2

ORDER

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

This Writ Petition has been filed challenging the impugned order dated 22.12.2023, made in Cr.M.P.No.39331/2023, on the file of the Chief Judicial Magistrate, Trichy District at Trichy, passed under Section 14 of the SARFAESI Act and consequently, to direct the respondents 1 to 3 to return the physical possession of item Nos.1 and 2 to the petitioner as per the impugned order dated 22.12.2023.



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2. According to the learned Standing counsel for the respondents 1 and 2, pursuant to the impugned notice, sale has been completed and sale certificate has been issued in favour of the third respondent and the physical possession has also been granted to him.

3. In view of the above, the Writ Petition is dismissed. If the petitioner has any grievance, he has to approach the jurisdictional Debts Recovery Tribunal. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

[D.K.K., J.] [R.V., J.]
01.02.2024

Index : Yes / No
Internet : Yes / No
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