



W.P(MD)No.16515 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

**W.P(MD)No.16515 of 2024
and
W.M.P(MD)Nos.14298, 14300 & 14303 of 2024**

1.K.Nagamani
2.Minor K.Gokulraj
3.A.Lakshmi

... Petitioners

(Minor 2nd petitioner is represented by his mother
and natural guardian of the first petitioner)

vs.

1.The Insurance Regulatory and Development
Authority of India,
Survey No.115/1, Financial District,
Nanakramguda,
Gachibowli,
Hyderabad - 500 032.

2.M/s.SMFG India Home Finance Co. Ltd,
Represented through its Branch Manager,
(Formerly Fullerton India Home Finance Co. Ltd),
1st Floor, No.39, Bypass Road,
Pethaniapuram II,
Kalavasal,
Madurai – 625 016.



W.P(MD)No.16515 of 2024

WEB CUM

- 3.The Authorised Officer,
SMFG India Home Finance Co. Ltd,
(Formerly Fullerton India Home Finance Co. Ltd),
Corporate Office,
No.503 and 504, 5th Floor, G-Block,
BKC, BKC Main Road,
- 4.The Authorised Officer,
SMFG India Home Finance Co. Ltd.,
(Formerly Fullerton India Home Finance Co. Ltd),
Registered Office,
Megh Towers, 3rd Floor, Old No.307, New No.165,
Poonamallee High Road,
Maduravoyal, Chennai – 600 095.
- 5.The Branch Manager,
ICICI Lombard General Insurance Co. Ltd,
No.5, A.A.Tower, First Floor,
Bypass Road, Madurai - 625 010.
- 6.The Claim Manager,
ICICI Lombard General Insurance Co. Ltd,
ICICI Bank Tower,
Plot No.12, Financial District,
Nanakramguda, Gachibowli,
Hyderabad, Telengana – 500 032.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records in pursuant to the impugned demand notice dated 23.04.2024 and consequential possession notice dated 11.07.2024 issued by the fourth respondent and quash the same as illegal and consequently forbearing the respondents 2 to 4 from pursuing any action under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in respect of the subject property in Door No.5/106 to an extent of



W.P(MD)No.16515 of 2024

760 sq. feet, comprised in S.F.No.48/1, as per R.S.No.48/1A, presently sub division S.F.No.48/7 in an out of larger extent of 55 ½ cents situated at Ramarajapuram Village, Vadipatti Sub Registration District, Nilakottai Taluk, Madurai North Registration District.

For Petitioners

: Mr.N.S.Karthikeyan

ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

Learned counsel appearing for the petitioner seeks to withdraw the writ petition. He has made an endorsement to that effect in the court bundle.

2.Recording the submission and the endorsement made, this Writ Petition is dismissed as withdrawn. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

[R.S.K.,J.] [G.A.M.,J.]

22.07.2024

(1/2)

NCC : Yes / No

Index : Yes / No

ps

3/6



W.P(MD)No.16515 of 2024

WEB COPY

To

- 1.The Insurance Regulatory and Development
Authority of India,
Survey No.115/1, Financial District,
Nanakramguda,
Gachibowli,
Hyderabad - 500 032.
- 2.M/s.SMFG India Home Finance Co. Ltd,
Represented through its Branch Manager,
(Formerly Fullerton India Home Finance Co. Ltd),
1st Floor, No.39, Bypass Road,
Pethaniapuram II,
Kalavasal,
Madurai – 625 016.
- 3.The Authorised Officer,
SMFG India Home Finance Co. Ltd,
(Formerly Fullerton India Home Finance Co. Ltd),
Corporate Office,
No.503 and 504, 5th Floor, G-Block,
BKC, BKC Main Road,
- 4.The Authorised Officer,
SMFG India Home Finance Co. Ltd.,
(Formerly Fullerton India Home Finance Co. Ltd),
Registered Office,
Megh Towers, 3rd Floor, Old No.307, New No.165,
Poonamallee High Road,
Maduravoyal,
Chennai – 600 095.



W.P(MD)No.16515 of 2024

WEB COPY

- 5.The Branch Manager,
ICICI Lombard General Insurance Co. Ltd,
No.5, A.A.Tower, First Floor,
Bypass Road,
Madurai - 625 010.

- 6.The Claim Manager,
ICICI Lombard General Insurance Co. Ltd,
ICICI Bank Tower,
Plot No.12, Financial District,
Nanakramguda,
Gachibowli,
Hyderabad,
Telengana - 500 032.



WEB COPY



W.P(MD)No.16515 of 2024

R.SURESH KUMAR,J.
and
G.ARUL MURUGAN,J.

ps

ORDER MADE IN
W.P(MD)No.16515 of 2024

DATED : 22.07.2024
(1/2)