



W.P.No.5271 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2025

CORAM

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

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.5271 of 2025
and W.M.P.No.5844 of 2025

C.Nithyanantham

.. Petitioner

-VS-

1. Repco Home Finance Ltd.,
Rep. by its Authorized Signatory,
D.No.8/26, Indian Red Cross Building,
2nd Floor, Hozur Road, Coimbatore-18.

2. State rep. by Inspector of Police,
Sulur Police Station,
Coimbatore District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus forbearing the respondents from taking coercive action based on the order obtained by 1st respondent in CrI.M.P. No.30160 of 2024 on the file of Hon'ble Chief Judicial Magistrate, Coimbatore, as against the petitioner property comprised of land and building in Coimbatore Registration District, Sulur Sub-Registration District, Sulur Taluk, Kangayampalayam Village, S.F.No:26/3, AC.3.32 in this a layout site No:4 of an area of 2,420 Sq.ft. or 224.8 Sq.mtr admeasuring 61 feet North-South on the East, 60 feet North-South on the west, 40 feet East-West on both sides.

For Petitioner : Mr.Elayaraja Kumar
for Ms.A.S.Neela Narayani

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ORDER

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

Counsel wanted urgent circulation to challenge an order passed under Section 14 of the SARFAESI Act. When we expressed our view to the counsel that an alternative remedy by way of filing an application before the Debts Recovery Tribunal is available, counsel sought leave to withdraw the petition with liberty to file such application before the Debts Recovery Tribunal for appropriate reliefs.

Petition is dismissed as withdrawn, with liberty as prayed for. If the application is filed within two weeks from today, delay, if any in approaching the Debts Recovery Tribunal, shall be deemed to have been condoned. There shall be no order as to costs. Consequently, the interim application also stands dismissed.

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

(MOHAMMED SHAFFIQ, J.)

03.03.2025

Index : Yes/No
Neutral Citation : Yes/No
sra



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The Inspector of Police,
Sulur Police Station,
Coimbatore District.



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The Hon'ble Chief Justice
and
Mohammed Shaffiq, J.

(sra)

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