



WP No.10760 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2025

CORAM

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

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

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and WMP Nos.12102, 12103 and 12104 of 2025

1. A.S.Ramji
2. D.Shyamala

.. Petitioners

-VS-

1. M/s.PNB Housing Finance Ltd.,
Rep. by its Authorized Officer,
No.1112, Raja Plaza, II Floor,
Avinashi Road, Near Lakshmi Mills,
Coimbatore-37.

2. Violet Gladys G.
3. Win Classic Textiles
Rep. by legal heir of Late Ravi.M
4. E.Kumaresan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the entire records relating to the impugned order passed by the Learned Chief Judicial Magistrate Coimbatore in Cr. M.P. No. 17637 of 2024 dated 24.01.2025 and quash the same.

For petitioners : Mr.C.Prakasam



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For Respondents : Mr.T.Saikrishnan
for R-1

* * * * *

ORDER

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

Without going into the merits of the matter and without going into the issue of jurisdiction that Sri.Saikrishnan raised, we pass the following order, by consent:-

- a) The undertaking of Sri.Prakasam that petitioners will hand over vacant and peaceful possession of the mortgaged premises on or before 30.04.2025 is accepted;
- b) The undertaking of Sri.Prakasam not to seek any extension of time is also accepted;
- c) If petitioners breach the undertaking, Respondent No.1 may evict petitioners physically along with petitioners' belongings from the mortgaged premises and the Senior Inspector of the concerned police station shall extend all assistance as may be requested by Respondent No.1;



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d) This will be in addition to contempt proceedings that may be initiated against petitioners, apart from petitioners being saddled with damages so caused.

2. Petition is disposed of. There shall be no order as to costs.

3. W.M.P.No.12102 of 2025 is allowed, subject to petitioners paying the additional court fee within one week from today and non-failure will result in the order passed above being recalled without further orders.

Consequently, the other two applications, W.M.P.Nos.12103 and 12104 of 2025 stand closed.

(K.R.SHRIRAM, CJ.)

(MOHAMMED SHAFFIQ, J.)

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Index : Yes/No

Neutral Citation : Yes/No

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

(sra)

To

The Chief Judicial Magistrate,
Coimbatore.

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