



WEB COPY



WP No.25488 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,

CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

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1.M/s.Sri Lakshmi Balaji Enterprise,
rep. By its Partner,
No.4/75, 12th street,
Viduthalai Nagar, Sunnambu Kolathur,
Kovilambakkam, Kancheepuram 117

2.V.Ashok

3.Thanush Venkat

: Petitioners

versus

The Authorised Officer,
Indian Overseas Bank,
Branch No.5224,
No.807, Ground Floor,
Anna Salai, Chennai 600 002

: Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent Bank to pay compensation for the illegal possession taken by executing the lapsed order dated 31.12.2024 in CMP No.4698 of 2024 passed by the learned Chief Judicial Magistrate at Chengelpet at Chengelpet, by considering the petitioners' representation dated 01.07.2025



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For Petitioners : Mr.B.Rajesh Khanna

For Respondent : Ms.V.Rajeswari

ORDER

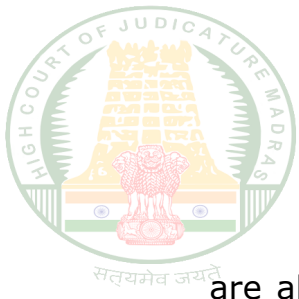
(Order of the Court was made
by the Hon'ble Chief Justice)

Prayer made in this writ petition is for issuance of a direction to the respondent Bank for payment of compensation, on account of illegal dispossession.

2. The record reveals that the Debts Recovery Tribunal has now passed an order directing re-delivery of possession.

3. From the order of the Debts Recovery Tribunal, we do not find that any such prayer was made before the said Tribunal, seeking compensation. The DRT had no such occasion to decide such claim.

4. Be that as it may, the petitioners still have a remedy of approaching Debt Recovery Appellate Tribunal, if they claim that they



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are also entitled for appropriate compensation in addition to direction for re-delivery of possession.

5. With that liberty to approach Debt Recovery Appellate Tribunal, the writ petition is closed. There will be no order as to costs. Consequently, WMP No.28652 of 2025 is closed.

6. WMP No.28650 of 2025 filed to permit the petitioners to file a single writ petition is allowed and disposed of.

(MANINDRA MOHAN SHRIVASTAVA, CJ.) (SUNDER MOHAN, J.)
25.07.2025

Index : Yes/No
Neutral Citation : Yes/No
tar

To

1.The Authorised Officer,
Indian Overseas Bank,
Branch No.5224,
No.807, Ground Floor,
Anna Salai, Chennai 600 002

2.The Chief Judicial Magistrate,
Chengelpett

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THE HON'BLE CHIEF JUSTICE

AND

SUNDER MOHAN, J.

(tar)

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