



WEB COPY



WP No.33905 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,

CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.33905 of 2025
and WMP No.38042 of 2025

S.Saravanan

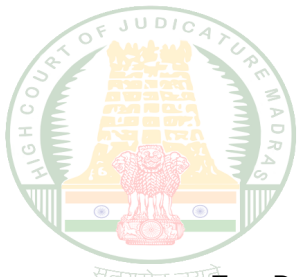
.. Petitioner

-vs-

The Authorised Officer,
M/s.L and T Finance Ltd.
(Formerly L and T Housing Finance Ltd.)
Having branch at KGM Towers, 5th Floor,
No.62, Ethiraj Salai, Egmore,
Chennai 600 105.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus declaring the action of the respondent finance company in taking physical possession of the property through the lapsed order dated 14.05.2025 in CrI.M.P.No.1050 of 2025 as illegal, arbitrary and void.



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For Petitioner

: Mr.I.Arockia Selvaraj

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ORDER

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

By this petition, the petitioner seeks issuance of a mandamus declaring the action of the respondent/Finance Company in taking physical possession of the property under the lapsed order dated 14.05.2025 as illegal, arbitrary and void.

2. If we may say so, this petition is misconceived one and seeks to take the benefit of delay in execution of the order dated 14.05.2025 passed by the learned Magistrate on account of an interim order passed by the Debts Recovery Tribunal on 25.07.2025. The petitioner challenged the order passed by the learned Magistrate, which was stayed by the Debts Recovery Tribunal on condition of payment of Rs.50,00,000/- on or before 15.08.2025. The petitioner, however, did not deposit the aforesaid amount and defaulted. Now, when the bank is proceeding to take possession, the petitioner seeks to challenge by filing the present petition.



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3. The attempt made by the petitioner to stall the proceedings when the matter is pending before the Debts Recovery Tribunal and the order dated 25.07.2025 stands is frivolous.

Petition is dismissed with costs of Rs.25,000/- (Rupees twenty five thousand only) payable to the respondent Finance Company within a period of one month from today. Consequently, the interim application stands closed.

(MANINDRA MOHAN SHRIVASTAVA, C.J.) (G.ARUL MURUGAN, J.)
10.09.2025

Index : Yes/No
Neutral Citation : Yes/No

sra

To

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G.ARUL MURUGAN, J.

(sra)

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