



W.P.(MD)No.6206 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6206 of 2025

and WMP (MD) No.4548 of 2025

Vanitha Sree

: Petitioner

Vs.

1. The District Collector,
Madurai District.

2. The President,
Alanganallur Panchayat Union Public
Servants Co-Operative Thrift and Credit
Society A.2900,
Alanganallur,
Madurai - 625 501.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to enforce the assets of immovable property of petitioners husband to recover the loan obtained by the petitioners husband Nagarajan in reference No.MN1305 from the 2nd respondent and not with petitioners salary.

For Petitioner : Mr. K.Muraleedharan



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For Respondents : Mr.J.K.Jayaselan

Government Advocate for R1

ORDER

This Writ Petition has been filed seeking a direction to the the respondents to enforce the assets of immovable property of the petitioner's husband to recover the loan obtained by the petitioner's husband Nagarajan in reference No.MN1305 from the second respondent and not with petitioner's salary.

2. Heard the learned counsel for the petitioner and the learned Government Advocate, appearing on behalf of the first respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the second respondent is dispensed with.

3. The learned counsel for the petitioner submitted that the petitioner's husband had taken a personal loan of Rs. 5 lakhs from the second respondent Society. Following the husband's demise, the



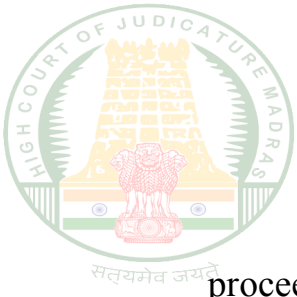
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petitioner was granted employment on compassionate grounds. It was further submitted that, due to matrimonial disputes, the petitioner resides with her children at her parents' home. The petitioner's grievance is that, despite her meager salary, the outstanding debt could be settled through the auction of her husband's property, which was jointly acquired by him and his brother .

4. On the other hand, the learned Government Advocate, appearing on behalf of the first respondent, submitted that the filing of this writ petition is merely an attempt to delay the recovery proceedings against the petitioner and accordingly, the learned Government Advocate sought for dismissal of the writ petition.

5. Upon careful consideration of the submissions made by both parties, this Court observes that the petitioner has filed the present writ petition to challenge the ongoing recovery proceedings. However, the learned Government Advocate has emphasized that the petition appears to be a deliberate attempt to delay or obstruct the recovery process. After considering the arguments presented by both sides, it is clear that the petitioner's conduct is intended to protract the recovery



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proceedings. As such, this writ petition lacks merit and is misrepresented.

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No valid grounds have been established to warrant interference with the recovery process. Accordingly, this writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is also closed.

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Index : Yes / No

Internet : Yes / No

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To

1. The District Collector,
Madurai District.



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VIVEK KUMAR SINGH, J.

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