



**W.P.(MD).No.19017 of 2024**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 14.02.2025**

**CORAM:**

**THE HONOURABLE MR.K.R.SHRIRAM, CHIEF JUSTICE  
and  
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**W.P.(MD).No.19017 of 2024  
and  
W.M.P.(MD).No.16094 of 2024**

Indian Bank,  
Stressed Assets Management Branch,  
Represented by its Authorised Officer,  
Mr.M.Athiyaman Chief Engineer,  
100-101, East Avani Moola Street,  
Madurai – 625 001.

... Petitioner

Vs

- 1.M/s.BE Gorgeous,  
Prop: Mr.Shanmuga Prasath,  
S/o.Late Bharathan,  
No.82, Fort Station Road,  
Thillainagar,  
Trichy – 620018.
- 2.M/s.Shri Vishnu Durgai Amman Enterprises,  
C 82 Fort Station Road,  
Shastri Road,  
Trichy – 620 018.
- 3.B.Sundarajothi



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4.B.Ganesh Prasath

5.B.Balaji Prasath

6.B.Shanmuga Prasath

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the learned Chief Judicial Magistrate, Tiruchirappalli, made in Crl.M.P.No.8812 of 2024, dated 22.07.2024 dismissing the petition filed under Section 14 of the SARFAESI Act, 2002 and quash the same and consequentially direct the learned Chief Judicial Magistrate, Tiruchirappalli to pass orders on merits in Crl.M.P.No.8812 of 2024 within a time frame fixed by this Court.

For Petitioner : Mr.S.Suresh

For R1 & R6 : Mr.S.Arunnithy

For R2 to R5 : No Appearance



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**ORDER**

**[Order of the Court was made by The Hon'ble CHIEF JUSTICE]**

The petition was heard for some time. Counsel for petitioner sought leave to withdraw the petition with liberty to approach the Debt Recovery Tribunal.

2.Writ Petition is dismissed as withdrawn with liberty as prayed for. If the application before the Debt Recovery Tribunal is filed within a period of two weeks from the date the order is uploaded, delay if any shall be deemed to have been condoned. We have not expressed any opinion on the merits of the matter. There shall be no order as to costs. Consequently, the interim application is closed.

**[K.R.SHRIRAM., C.J.]**

**[V.LAKSHMINARAYANAN,J.]**

**14.02.2025**

NCC : Yes / No

Index : Yes / No

LR



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**THE HON'BLE CHIEF JUSTICE**  
**and**  
**V.LAKSHMINARAYANAN, J.**

LR

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