



W.P(MD)No.23812 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.23812 of 2022
and
W.M.P(MD)No.17893 of 2022**

Arulmighu Nageswaraswamy Thirukoil,
Represented by its Executive Officer,
Kumbakonam Town,
Thanjavur District.

... Petitioner

vs.

1.M/s.DBS Bank India Limited,
(Formerly Lakshmi Vilas Bank Limited),
Represented by its Branch Manager,
Branch Office at,
No.11, Thamarai Valagam,
Sarngapani East Sannathi Street,
Kumbakonam,
Thanjavur District.

2.A.S.Marimuthu
3.A.S.Arunagiri
4.B.Vanitha
5.P.Balaji



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6.M/s.Omkara Assets Reconstruction Private Limited,
Represented by its Authorized Officer,
Kalpesh K.Ojha.

... Respondents

(R – 6 is impleaded vide order dated 01.04.2025
in W.M.P(MD)No.2828 of 2025)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to quash the order passed in Crl.M.P.No.301 of 2022 on the file of the Chief Judicial Magistrate, Thanjavur @ Kumbakonam dated 10.05.2022 which was filed under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002 and quash the same.

For Petitioner : Mr.P.Praveen Kumar
for Mr.A.David Oliver

For RR 1 & 6 : Mr.S.I.Muthiah

For RR 2 & 3 : Mr.T.R.Subramanian

For RR 4 & 5 : Not ready in notice

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The order passed by the learned Chief Judicial Magistrate, Thanjavur @ Kumbakonam in Crl.M.P.No.301 of 2022 dated 10th May, 2022, is under challenge in the present Writ proceedings.



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2.The order of the learned Chief Judicial Magistrate, Thanjavur @
Kumbakonam is susceptible to an appeal under Section 17 of the SARFAESI Act.

3.Granted liberty to the petitioner to approach the Debts Recovery
Tribunal, this Writ Petition stands dismissed. There shall be no order as to costs.
Consequently, connected Miscellaneous Petition is closed.

[S.M.S.,J.] & [A.D.M.C.,J.]
16.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps

To

The Branch Manager,
Represented by its M/s.DBS Bank India Limited,
(Formerly Lakshmi Vilas Bank Limited),
Branch Office at,
No.11, Thamarai Valagam,
Sarngapani East Sannathi Street,
Kumbakonam,
Thanjavur District.



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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

ps

ORDER MADE IN
W.P(MD)No.23812 of 2022

DATED : 16.06.2025