



**W.P.(MD) No.615 of 2023**

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

**DATED : 29.02.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR**

**and**

**THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.615 of 2023**

**and**

**W.M.P(MD)Nos.602 and 608 of 2023**

F.Premnath

... Petitioner

Vs.

IDBI Bank,  
Rep. by its Authorized Officer,  
No.1/1, First Floor,  
Karthik Raja Complex,  
Vinayagar Nagar,  
KK Nagar,  
Madurai.

.... Respondent

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 possession Notice dated 06.12.2022 issued by the respondent, in respect of the house sites property comprised in R.S.No.177/5, New S.No.28/5A2, having an extent of 2670 sq.ft (6 cents and 54 sq. ft.) situated within the District of Madurai and the quash the same as unconstitutional, illegal and ultra virus the Act and Rules and consequently direct the respondent Bank to act only in accordance with the SARFAESI Act and Security Interest (Enforcement) Rules.



**W.P.(MD) No.615 of 2023**

For Petitioner :M/s.Priscilla Jancy  
For Respondent :Mr.J.Prabakaran

**ORDER**

**[Order of the Court was made by D.KRISHNAKUMAR, J.]**

Challenging the possession notice issued by the respondent bank, the petitioner has filed this writ petition.

2. However, when the matter is taken up for hearing today, the standing counsel appearing for the respondent – bank, on instructions, would submit that the entire outstanding due has been settled by the petitioner and the loan account of the petitioner has been closed.

3. Recording the said submissions, this writ petition is dismissed as infructuous. No Costs. Consequently, connected Miscellaneous Petitions are closed.

**[D.K.K., J.]**

**[R.V., J.]**

**29.02.2024**

Neutral Citation: Yes / No  
Index : Yes / No  
**PM**



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**D.KRISHNAKUMAR, J.**  
**and**  
**R.VIJAYAKUMAR, J.**

PM

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