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W.P.No.24332 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.24332 of 2026
and W.M.P.No.26511 of 2026

A.Rajaraman
Managing Director,
M/S.Carmiya Industries Private Limited,
No.1, Arumugam Nagar,
2nd Street, Chinna Porur, Porur,
Chennai - 600116.

Petitioner

Vs

M/s.Indian Bank
Rep. by its Authorized Officer,
S.T.Ganesh,
Trichy Cantonment Branch,
No.5, Naga Arcade, Williams Road,
Cantonment, Trichy - 620001.

Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari calling for the records of the impugned order passed by the Debt Recovery Appellate Tribunal at Chennai in I.A.No.588/2026 (Extension) and I.A.No.183/2026 (Waiver) in AIR.(SA) No.196/2026 dated 27.04.2026 and quash the same as illegal.



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For Petitioner: Mr.V.Chinnasamy

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ORDER

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

This writ petition under Article 226 of the Constitution of India has been filed by the petitioner challenging the order dated 27.4.2026 passed by the Debt Recovery Appellate Tribunal, Chennai, in I.A.No.588 of 2026 and I.A.No.183 of 2026 in AIR (SA) No.196 of 2026.

2. Learned counsel for the petitioner mainly contended that both the Debts Recovery Tribunal (DRT) and the Debt Recovery Appellate Tribunal (DRAT) failed to consider the case of the petitioner on merits and have only aided the respondent bank to recover its disputed dues. The DRAT ought not to have imposed a condition that directs the petitioner to make payment more than what was directed by the DRT. The DRAT failed to consider that the petitioner had filed the appeal since the condition imposed by the DRT was exorbitant and onerous.

3. Learned counsel for the petitioner further submitted that the

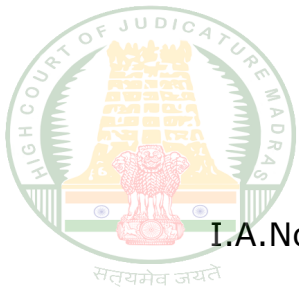


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petitioner has raised serious dispute about the action initiated by the respondent bank right from the time of declaring the petitioner's account as NPA. The respondent bank is taking coercive steps to dispossess the petitioner and his family from their only house. The order of the learned Chief Judicial Magistrate passed under Section 14 of the SARFAESI Act is in violation of the principles of natural justice and the said order is not even communicated to the petitioner. He would submit that when various legal grounds have been raised, the case of the petitioner ought to have been considered on merits.

4. We have considered the submissions made by learned counsel for the petitioner and also perused the materials available on record.

5. It appears that challenging the order dated 7.8.2025 passed in CrI.M.P.No.3069 of 2025, the petitioner had filed S.A.No.870 of 2025 along with stay application in I.A.No.2988 of 2025 before the DRT-III, Chennai. By the order dated 8.1.2026, recording the voluntary submission of learned counsel for the petitioner, the DRT directed the petitioner to pay Rs.75.00 lakhs on or before 8.1.2026 and granted stay of further proceedings. Challenging the said order, the petitioner has filed appeal in AIR No.196 of 2026 along with waiver application in



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I.A.No.183 of 2026 contending that the rate of interest claimed by the respondent bank is huge and against the norms and that the petitioner had created mortgage in respect of two properties, namely factory with machinery and the building. Even after the sale of the property and realization of substantial amount, the respondent bank claimed that a sum of Rs.4,47,59,132/- is due and payable in the application filed under Section 14 of the SARFAESI Act. The DRAT, vide order dated 10.3.2026, after considering the submissions made by learned counsel for the petitioner and the respondent, passed the following order:

"This impugned order was passed only on the basis of the voluntary submissions made by the petitioner to make payment, however, without complying the order passed by the learned Presiding Officer, DRT-III, Chennai filed this appeal. The house property is not sold so far. The amount outstanding as of now is Rs.5,91,87,885.50p.

In such circumstances, with a view to give an opportunity to the petitioner to pay the loan amount and save the house property, this Tribunal, for entertaining this appeal, directs the petitioner to make pre-deposit of 25% of Rs.5,91,87,885.50p., which comes to Rs.1,47,96,971.37p. in two equal instalments within a period of six weeks from today. First instalment of Rs.73,98,485.68p. Rounded off to Rs.73,98,486/- shall be deposited on or before 1.4.2026



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and the second instalment of Rs.73,98,485.68p. Rounded off to Rs.73,98,486/- shall be deposited on or before 21.4.2026. Failing which, the appeal shall stand rejected.

The said pre-deposit amount should be paid in the form of Demand Draft in favour of Registrar, DRAT, Chennai, payable at Chennai. In case pre-deposit is made within the stipulated period, Registry is directed to number the appeal, if it is otherwise in order and Registrar shall invest the same in a Nationalised Bank for a reasonable period and renew it periodically, till further orders are passed.

Post the matter on 23.04.2026."

6. Later on, the petitioner had filed I.A.No.588 of 2026 seeking extension of time. When the said application was taken up on 27.4.2026 by the DRAT, there was no representation on behalf of the petitioner and the DRAT has passed the following order:

"No representation for the petitioner. Learned counsel for the respondents-Bank is present. The conditional order dated 10.03.2026 passed in IA 183/2026 waiver application is not complied. IA 588/2026 is filed for extension of time, however, petitioner is not cared to represent and pray for extension of time. Not even single condition is complied with. Therefore, this Tribunal is not inclined to grant extension of time. Hence, IA No.588/2026 seeking extension of time and the waiver application are dismissed. Consequently, the appeal in AIR (SA) No.196/2026 is



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rejected. Parties shall bear their own costs. Pending IAs, if any, shall stand closed."

7. It also appears that, assailing the order dated 10.3.2026, the petitioner has filed W.P.No.15660 of 2026 before this Court and, on 5.6.2026, the said writ petition was withdrawn by the petitioner with liberty to avail appropriate remedy in accordance with law. The petitioner, for reasons best known to him, had not disclosed the factum of passing the impugned order dated 27.4.2026 in the said writ petition, even orally.

8. The earlier writ petition filed challenging the conditional order dated 10.3.2026 was withdrawn by the petitioner on 5.6.2026. Since the petitioner has not shown keen interest in prosecuting the application filed for extension of time and has not shown any bona fide reason in support of the plea, the DRAT has dismissed the extension application, as the conditional order passed in I.A.No.183 of 2026 has not been complied with. In this appeal, the petitioner has mainly focused on the merits of the matter, which cannot be considered as he has failed to comply with the mandatory condition.



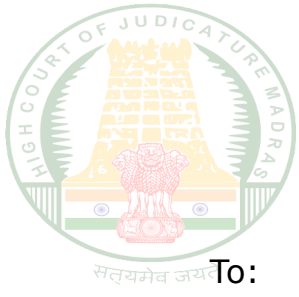
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9. Since the petitioner has failed to comply with the statutory condition of pre-deposit to maintain the appeal and since there was no representation on behalf of the petitioner when the application for extension of time was taken up, the DRAT is right in dismissing the applications for extension of time and the waiver, which resulted in rejecting the appeal in AIR (SA) No.196 of 2026. We find no valid ground to interfere with the impugned order passed by the DRAT and the writ petition fails.

Accordingly, the writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
14.07.2026

Index : Yes/No
Neutral Citation : Yes/No
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To:

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The Authorized Officer,
Indian Bank
Trichy Cantonment Branch,
No.5, Naga Arcade, Williams Road,
Cantonment, Trichy - 620001.



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(bbr)

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