

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K. SASIDHARAN

C.R.P. (PD) No. 3290 of 2015 and M.P. No.1 of 2015

S. Uma Maheswari ..Petitioner/Appellant

vs.

1 The Debt Recovery Tribunal-III
at Chennai
No.770-A, V Floor
Anna Salai, Chennai 600 002

2 State Bank of India
Stressed Assets Resolution Centre
Red Cross Building, II Floor
No.32, Montieth Road
Egmore, Chennai 600 008
represented by Authorised Officer

3 P.R. Shanmugam

4 S. Nithyanandam

5 S. Vinayagamurthy

6 M.K. Nithivanan ..Respondents/Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India challenging the order dated 30.06.2015 passed in S.A. No.233 of 2015 on the file of the first respondent, viz., Debts Recovery Tribunal-III, Chennai, imposing condition for deposit of Rs.15,00,000/- (Rupees Fifteen Lakhs only) on or before 03.07.2015.

For petitioner Mr. S. Thanka Sivan

ORDER

(made by SATISH K. AGNIHOTRI, J.)

This Civil Revision Petition arises from the order dated 30th June 2015 passed by the first respondent, viz., the Debts Recovery Tribunal-III, Chennai (for short "the Tribunal") in S.A. No.233 of 2015, insofar as it imposes a condition to deposit Rs.15 lakhs for status quo to be maintained.

2 The learned counsel for the petitioner submits that the Tribunal, recording that at the vehement request of the petitioner that she is willing and capable to demonstrate the infirmities in the sale notice vis-a-vis her claim and contention as co-sharer under the Hindu Succession Act and willingness to make a deposit of Rs.15 lakhs on or before 3rd July 2015, directed the second respondent bank to maintain status quo, subject to the condition that she deposits the said payment. But, no such willingness was expressed by the petitioner to deposit the said amount. Thus, the petitioner may be permitted to move the Tribunal for re-consideration.

3 Accordingly, this civil revision petition is disposed of as not pressed on merits, with liberty to make an appropriate application before the Tribunal for necessary modification/amendment, if so advised. No costs. Connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

cad

To

1 The Debt Recovery Tribunal-III
No.770-A, V Floor
Anna Salai
Chennai 600 002

2 The Authorised Officer
State Bank of India
Stressed Assets Resolution Centre
Red Cross Building, II Floor
No.32, Montieth Road
Egmore
Chennai 600 008.

+ 1 cc to M/s. S. Thanka Sivan, Advocate Sr.43033

C.R.P. (PD) No.3290 of 2015

ALA(CO)
Eu 02.09.15