

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P.No.17302 of 2015
and
M.P.No.1 of 2015

M/s.Mamta Starch Product,
rep.by its Proprietor,
Mr.Sandeep Kumar Pukhraj Madani,
No.57, Hirabhai Market Diwan Ballubhai Road,
Kankariya,
Ahmedabad - 380 022.

...Petitioner

vs.

- 1 The Authorized Officer,
State Bank of India,
Salem Main Branch,
Fort Main Road,
Salem - 636 001
- 2 Sripal Starch Manufacturers,
rep.by its Proprietor,
Mr.Mothilal Chowdhary,
No.37-B, Narasimha Chetty Road,
Shevapet, Salem - 636 002,
and also at T.S.No.16/2, 2A, New Ward 'E'
Block No.10, Pallapatti village,
Salem Taluk,
Salem District,
- 3 The Registrar,
Debt Recovery Appellate Tribunal,
Ethiraj Salai, Willington Estate,
Indian Bank Circle Office, 4th Floor,
Chennai - 600 008.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus to call for records pertaining to order in I.A.No.581 of 2014 in AIR (SA) 360 of 2012 dated 13.08.2014 on the file of 3rd respondent and quash the same and consequently directing the 3rd respondent to allow the I.A.No.581 of 2014 in A.I.R(SA) 360 of 2012 by receiving the deficit court fee.

For petitioner : Mr.D.Durairaj

For Respondent No.1 : Mr.M.L.Ganesh

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

Learned counsel appearing for the petitioner submits that the time granted to the petitioner by the 3rd respondent - Debt Recovery Appellate Tribunal in the impugned proceedings dated 13.08.2014 to deposit the deficit court fee has expired on 7.11.2014 and when the petitioner approached belatedly, the deficit court fee was not accepted. Therefore, a week's time may be granted to the petitioner to deposit the deficit court fee as required under the provisions of law.

2. Mr.M.L.Ganesh, learned counsel appearing for the 1st respondent Bank does not oppose the said prayer seriously.

3. Therefore, considering the facts and circumstances of the case, we grant one week's time to the petitioner from today to deposit the deficit court fee as ordered in the impugned proceedings dated 13.8.2014.

The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Authorized Officer,
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Fort Main Road,
Salem - 636 001
- 2 The Registrar,
Debt Recovery Appellate Tribunal,
Ethiraj Salai, Willington Estate,
Indian Bank Circle Office, 4th Floor,
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W.P. No.17302 of 2015

GJ (CO)
PSI (25.06.2015)



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