

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2015

CORAM:

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

W.P. No.34764 of 2014 and M.P. No.1 of 2014

S.R. Venkatachalam
Proprietor
Vivin Packings
Office No.3/112-D
Andipalayam
Mangalam Road
Tirupur - 641 687

Petitioner

Vs.

1 The Authorised Officer
Corporation Bank
1 Mangalam Road
Tirupur 641 687

2 The Hon'ble Presiding Officer
Debts Recovery Tribunal
Coimbatore

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the Presiding Officer of the Hon'ble Debts Recovery Tribunal, Coimbatore, the second respondent to consider and dispose of the petition in I.A. No.1652 of 2014 in S.A. No.256 of 2014 dated 18.12.2014 and also the main S.A. No.256 of 2014 dated 18.12.2014 in accordance with law on or before a due date to be stipulated by this Court.

For petitioner Mr. M. Balachandar

For R1

Mr. S. Sethuraman

ORDER

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

The only relief sought in this writ petition is a direction to the Presiding Officer of the Debts Recovery Tribunal, Coimbatore, the second respondent herein to consider and dispose of the application in I.A. No.1652 of 2014 in S.A. No.256 of 2014 and also the main S.A. No.256 of 2014.

2 Mr. S. Sethuraman, learned counsel for the first respondent submits that he has no objection to this Court directing the second respondent-Tribunal to decide S.A. No.256 of 2014 in accordance with law and on its own merits.

3 As such, we do not express any opinion on the merits of the case and accordingly, direct the second respondent-Tribunal to decide S.A.No.256 of 2014 in accordance with law and on its own merits, expeditiously.

4 So far as the petitioner's request to grant interim relief at this stage is concerned, we are not inclined to grant the same. However, we reserve liberty to the petitioner to make an appropriate application before the second respondent-Tribunal. If a fresh application is filed or an application is pending consideration for interim relief, the second respondent-Tribunal is directed to consider the same as expeditiously as possible.

5 The writ petition is disposed of with the above directions. No costs. Connection Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

cad

To

1.The Authorised Officer
Corporation Bank
1 Mangalam Road
Tirupur 641 687

2.The Presiding Officer,
Debts Recovery Tribunal, Coimbatore.

1 cc to Mr.S. Sethuraman ,Advocate, SR.No.1003

सत्यमेव जयते
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W.P. No.34764 of 2014

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