

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2015

CORAM:

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

W.P. No.20186 of 2015
and
M.P.Nos.1 & 2 of 2015

S. Haricharan

Petitioner

vs.

1. Syndicate Bank,
rep. By its Assistant General Manager,
Mount Road Branch,
No.38 Anna Salai,
Mount Road,
Chennai 600 002.
2. The Registrar,
The Debts Recovery Tribunal-II,
4th Floor, Spencer Tower,
770-A Anna Salai,
Chennai 600 002.
3. M/s. Domestic Departmental Stores,
A Partnership Firm, having office at
No.29, Royapettah High Road,
Chennai 600 104,
rep. By its Partners
(1)Mrs. Rekha Haricharan,
(2)Smt. Jayalakshmi
(3) R. Rajasekar

4. Mrs. Rekha Haricharan

5. Mrs. Jayalakshmi

6. Mr. R. Rajasekar

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorari calling for the records relating to O.A.No. 428 of 2014 pending on the file of Debt Recovery Tribunal II, Chennai and quash the same.

For petitioner M/s. Adeesh Anto

For respondents: ---

ORDER

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

The petitioner has come up with this writ petition calling for the records relating to O.A.No.428 of 2014 pending on the file of the Debt Recovery Tribunal-II, Chennai (for short "the Tribunal") and quash the same.

2 Be that as it may, if the petitioner is of the opinion that the aforestated O.A. is not maintainable, it is for him to raise the issue of jurisdiction and also, the issue of limitation before the Tribunal and thereafter, if occasion arises for him to approach this Court, he may invoke the writ jurisdiction, if so advised under the provisions of law. Thus, at this stage, we are not inclined to interfere with the proceedings under consideration before the Tribunal.

3 Resultantly, the writ petition stands dismissed. Connected Miscellaneous Petitions are closed.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

ra

To

1. Assistant General Manager,
Syndicate Bank,
Mount Road Branch,
No.38 Anna Salai,
Mount Road,
Chennai 600 002.

2. The Registrar,
The Debts Recovery Tribunal-II,
4th Floor, Spencer Tower,
770-A Anna Salai,
Chennai 600 002.

1 cc to M/s.V. Sankaranarayanan, Advocte, Sr. 34781

W.P. No.20186 of 2015

ALA (CO)
kk 24/7