

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2015

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and

THE HON'BLE Mr. JUSTICE M.VENUGOPAL

W.P.No.25500 of 2014

1.Balambal
2.Dr.R.Ranganayaki
3.L.Dayanidhi
4.R.Mahesh
5.K.Bhaskaran

... Petitioners

Vs.

1.Presiding Officer,
Debts Recovery Tribunal I,
Chennai.

2.The Chief Manager and Authorised
Officer,
Indian Bank (ARMB),
Asset Recovery Management Branch,
Circle Office Building, Wellington Estate,
No.55, Ethiraj Salai, Egmore,
Chennai - 8.

3.The Branch Manager,
Indian Bank, Asiatic Colony Branch,
Thirumangalam, Chennai.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the second and third respondents to obtain the original documents pertaining to the properties of Plot Nos.3, 4 and 5 of No.101, AKR Nagar, Sridevi Garden, Valasaravakkam Village, Chennai - 89 from the first respondent herein and hand over the same to the petitioners herein.

For Petitioners

.. Ms.V.Anuradha

For Respondents

.. Mr.V.Kalyanaraman
for M/s.Aiyar and Dolia
for R2 & R3
R1 - Tribunal

ORDER

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

Seeking a direction to the second and third respondents to obtain the original documents pertaining to the properties of Plot Nos.3, 4 and 5 of No.101, AKR Nagar, Sridevi Garden, Valasaravakkam Village, Chennai - 89 from the first respondent and hand over the same to the petitioners, the petitioners have come up with this writ petition.

2.In the course of hearing, the learned counsel appearing for the second and third respondents submitted that the respondents 2 and 3 /Bank had already filed a part satisfaction memo for passing the order and handing over the afore stated documents as required by the petitioners in this petition. Thus a direction may be issued to the first respondent to consider the application/memo and pass orders expeditiously as all other disputes in respect of the properties stand settled.

3.To this submission, the learned counsel appearing for the petitioners has no objection.

4.We accordingly direct the first respondent - Debts Recovery Tribunal - I, Chennai to take the application/memo on the file and consider the same and pass orders on its own merits and in accordance with law at the earliest, preferably within a period of four weeks from the date of receipt of a copy of this order.

5.With the above direction, the writ petition shall stand disposed of. No costs.

Sd/-
Deputy Registrar (Judicial)

/true copy/

Sub Asst. Registrar

mmi

To

1.The Presiding Officer,
Debts Recovery Tribunal I,
Chennai.

2.The Chief Manager and Authorised
Officer,
Indian Bank (ARMB),
Asset Recovery Management Branch,
Circle Office Building, Wellington Estate,
No.55, Ethiraj Salai, Egmore,
Chennai - 8.

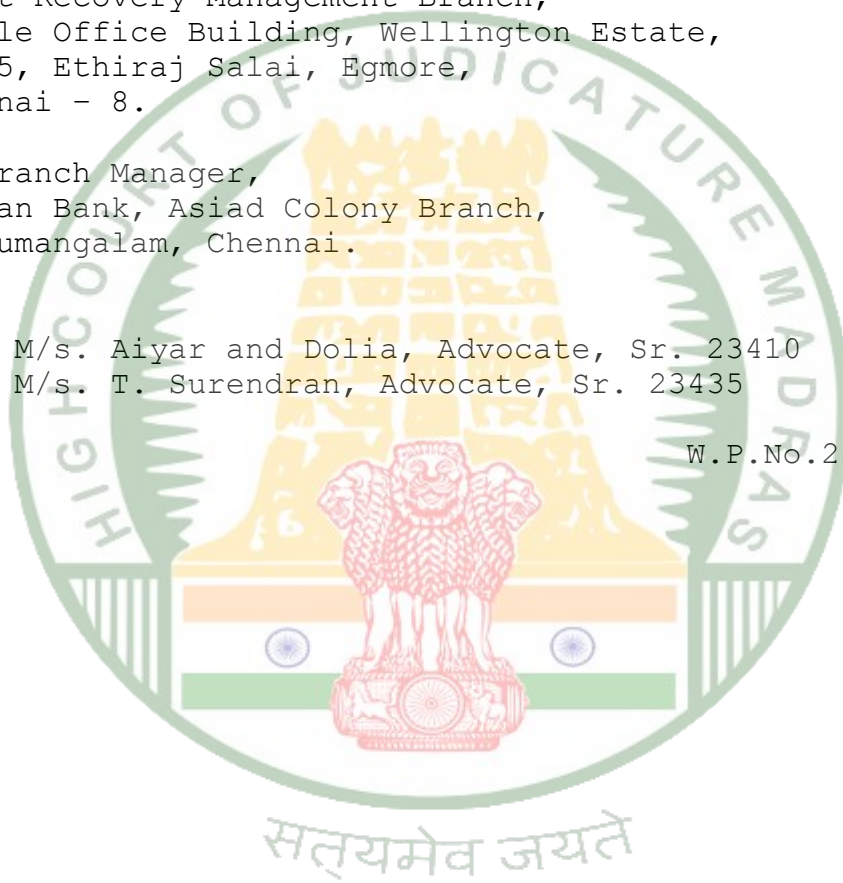
3.The Branch Manager,
Indian Bank, Asiatic Colony Branch,
Thirumangalam, Chennai.

1 cc to M/s. Aiyar and Dolia, Advocate, Sr. 23410

1 cc to M/s. T. Surendran, Advocate, Sr. 23435

W.P.No.25500 of 2014

VD (CO)
kk 18/5



WEB COPY