

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2015

CORAM:

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

W.P. No.4052 of 2015 and M.P. No.1 of 2015

Power Creating Zone (P) Ltd.
Represented by its Managing Director
Mr. S. Karunanidhi
S/o Mr. Subramanian
Madurai Salem Bye Pass Road
Karur Taluk & District

Petitioner

vs.

1 The Registrar
Debts Recovery Appellate Tribunal
Chennai

2 The Authorised Officer
Syndicate Bank
Regional Office
Leelavathi Buildings
No.69, Armenian Street
Chennai 600 001

3 Syndicate Bank
represented by its Senior Manager
SRN Tower, No.208/1
I Cross Street
Sengunthapuram
Karur 639 002

4 Morvi Exports
represented by its Partner
S.R. Manickavasagam
NH-7, New Bye Pass Road
Karur 639 002

5 Jai Kavitha

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent herein to forthwith number and hear and dispose of the appeal filed

by the petitioner herein against the order dated 01.10.2014 in S.A. No.96 of 2012.

For petitioner Mrs. AL. Ganthimathi

ORDER

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

The only limited relief sought in this writ petition is to direct the first respondent herein, viz., the Debt Recovery Appellate Tribunal, Chennai, to consider the purported appeal filed by the petitioner against the order dated 01.10.2014 passed in S.A. No.96 of 2012 by the Debts Recovery Tribunal-II, Chennai.

2 The petitioner, by this writ petition, has sought a direction to the first respondent to number the appeal preferred by it, hear and dispose of the same.

3 We do not find any reason as to why this petition seeking such relief has been filed, at this stage. If all the procedural requirements are in order, the Appellate Tribunal is under an obligation to get the same numbered and consider the case in accordance with law.

4 Thus, the petitioner is directed to approach the Appellate Tribunal and get the case numbered, after complying with all the procedural requirements. After the case is numbered, there is no reason that the Appellate Tribunal would not consider the matter on its own merit and in accordance with law, expeditiously.

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

cad

-s/d-

Assistant Registrar (CO)
Dt:23/2/2015

True Copy

Sub-Assistant Registrar

To

- 1 The Registrar
 Debts Recovery Appellate Tribunal
 Chennai

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+ 1 cc to M/s.AL.Ganthimathi, Advocate SR 8765

ggk(co)
prk23/2

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