

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G. RAMESH
and
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Writ Petition No.13408 of 2016
and WMP.Nos.11757, 15553, 12737, 12738 of 2016

State Bank of India
Industrial Finance Branch
No.155, Anna Salai,
Chennai-600 002
Rep. By its Assistant General Manager
Presently at Stressed Assets Management Branch
Red Cross Building, Montieth Road
Egmore, Chennai-600 008 ...Petitioner

Vs.

1.The Deputy General Manager
(Admn.EP18), The Chief General Manager
Southern Telecom Projects,
BSNL, No.25, Greenways Lane
Raja Annamalaipuram
Chennai-600 028

2.M/s.Gemini Communication Ltd.,
Rep. By its Director, Mr.R.Vijaykumar
No.1, Dr.Ranga Road, 2nd Street
Alwarpet, Chennai-600 018

3.The Registrar
Debts Recovery Appellate Tribunal
Egmore, Chennai-600 008

4.The Registrar, Debts Recovery Tribunal-2
Chennai-600 002Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records in No.CGMP/CNI/Legal.Point Red/GCL/Wimax-II/25 dated 18.03.2016 on the file of the 1st respondent and to quash the same and further direct the 1st respondent not to release any payments pursuant to the said impugned communication pending disposal of the appeal filed by the petitioner in M.A.Nos.12,16 and 17 of 2016 on the file of the 3rd respondent, challenging the

order dated 21.01.2016 in I.A.No.767/15 I.A.No.116 of 2014 in O.A.No.228 of 2014 on the file of the 4th respondent.

For Petitioner : Mr.Imayavaramban, for
M/s.Ramalingan and Associates
For respondents : Mr.M.Govindaraj for R1
M/s.Adeesh Anto for R2

O R D E R

(Order of the Court was made by HULUVADI G. RAMESH, J.)
Heard the learned counsel for the respective parties.

2. At the time of admission of this Writ Petition, on 11.04.2016, this Court passed the following order:-

"Notice returnable in three weeks. Private notice is also permitted in respect of RR1 and 2. Post after three weeks. Status quo as obtained today, in respect of payment, shall be maintained till then."

Thereafter, this court, on further hearings, extended the interim order and till today it is continuing.

3. Now, it is submitted by the learned counsel for the Writ Petitioner that the petitioner has filed M.A.Nos.12, 16 and 17 of 2016 on the file of Debts Recovery Appellate Tribunal at Allahabad and the same is pending consideration.

4. Taking into account the above submission, we hereby clarify that the interim order of status quo in respect of payment already granted shall operate till the expiry of four weeks from the date of receipt of a copy of this order. It is open to the Writ Petitioner to raise all grounds before the Debts Recovery Appellate Tribunal.

5. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected WMPs are closed.
nvsri

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1.The Deputy General Manager
(Admn.EP18), The Chief General Manager
Southern Telecom Projects,
BSNL, No.25, Greenways Lane
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Chennai-600 002

+ 2 ccs to M/s.Ramalingam Associates, Advocate SR 45738

rj(co)
prk16/8

W.P.No.13408 of 2016



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