

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2016

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K. SASIDHARAN

W.P. No.3257 of 2016
and
W.M.P. No.2687 of 2016

B. Abdul Rahim

Petitioner

Vs.

1 The Debt Recovery Tribunal-III
represented through the Registrar
V Floor, Spencer Towers
No.770-A Anna Salai, Chennai 600 002

2 Standard Chartered Bank
represented by its Authorised Officer
No.19, Rajaji Salai, Chennai 600 001

3 A. Sekar

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent Tribunal to adjudicate the S.A. No.536 of 2015 on merits, as provided under Sec. 17(2) or Sec.17(3) of the SARFAESI Act, 2002.

For Petitioner : Mr. Mubarak Ahmad
for M/s. Ahmad Associates

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

This writ petition is filed seeking a writ of mandamus directing the first respondent-Tribunal to adjudicate the SARFAESI Application being S.A. No.536 of 2015 on merits, as provided under Section 17(2) or Section 17(3) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

2. At the threshold, it is quite pertinent to point out that it is not for the High Court to oversee listing of matters before the Debts Recovery Tribunal and adjudication thereon. If an application is made for expeditious hearing of the aforesaid application, the first respondent-Tribunal is well advised to consider the same in the facts of the case and take a decision.

The writ petition stands dismissed with the above observation. Costs made easy. Connected Miscellaneous Petition is closed.

cad

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

The Registrar,
The Debt Recovery Tribunal-III
V Floor, Spencer Towers,
No.770-A Anna Salai,
Chennai 600 002.

+ 1 cc to M/s.Ahmad Associates, Advocate Sr 5534

KR/5/2/16

W.P. No.3257 of 2016

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