

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 22.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
and
THE HONOURABLE MRS. JUSTICE J. NISHA BANU

C.R.P. (MD) No. 2353 of 2016

HDFC Bank Ltd., having its
Branch Office at No.6,
Raj Bhavan 2nd Floor,
Bridhavan Road, Fair Lands,
Selam - 636 016,
represented by its Legal Officer ... Petitioner/Applicant
Vs.

T. Baby Manoharan .. Respondent/Defendant

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India praying to direct the Debts Recovery Tribunal, Madurai to try the petition in I.A.No.673 of 2015 in O.A.No.281 of 2015 and to pass appropriate orders on merits, within a time frame as fixed by this Court.

For Appellant : Mr. M. Ponniah

ORDER

(Order of this Court was delivered by M. SATHYANARAYANAN, J.)

The petitioner filed O.A.No.281 of 2015, on the file of the Court of the Debts Recovery Tribunal at Madurai, against the respondent herein praying for passing of a final decree by issuing recovery certificate for a sum of Rs.11,51,654 (Rupees Eleven Lakhs Fifty One Thousand Six hundred and Fifty four only) towards Jewel Loan Account along with interest and other costs and also other consequential reliefs. Pending disposal of the same, the petitioner filed I.A.No.673 of 2015 praying for permission to sell the pledged gold jewels by the respondent/defendant in a public auction. Since the respondent could not be served, paper publication was ordered and thereafter, he was set ex-parte. For want of the Proceeding Officer, the application is kept pending for quite sometime and therefore, he came forward before this Court by filing this Civil Revision Petition seeking appropriate



direction for earlier disposal of I.A.No.673 of 2015 in O.A.No.281 of 2015.

2. Heard the learned Counsel appearing for the petitioner and also perused the materials placed before this Court.

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3. This Court, taking into consideration the limited scope of prayer sought for by the petitioner, is of the view that notice to the respondent is not necessary as he has already been set ex-parte before the Tribunal.

4. In the result, this Civil Revision Petition is ordered and the Debts Recovery Tribunal, Madurai is directed to accord priority and dispose of I.A.No.673 of 2015 in O.A.No.281 of 2015 pending on its file, as expeditiously as possible and not later than six weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

Sd/-

Assistant Registrar (CRL)

/True Copy/

Sub Assistant Registrar

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To

The Debts Recovery Tribunal, Madurai.

Gjm/pv/2.12.16-2P-2c

C.R.P. (MD) No.2353 of 2016
22.11.2016