



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Twenty Eighth day of April Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice T.S.SIVAGNANAM
and

The Hon`ble Mr.Justice N.SESHASAYEE

CMP(MD) No.4308 of 2017

IN

CRP(MD) No.SR 18818 of 2017

MR.S.S.MURUGESAN

... PETITIONER/REVISION PETITIONER

Vs

1 THE RECOVERY OFFICER,
DEBT RECOVERY TRIBUNAL, MADURAI.

2 THE BRANCH MANAGER,
BANK OF BARODA, NAMAKKAL BRANCH,
PARAMATHI ROAD, NAMAKKAL,

3 SEKAR,

4 THE SUB REGISTRAR,
PUDUCHATHIRAM SUB REGISTRAR,
NAMAKKAL DISTRICT.

... RESPONDENTS/ RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass order to accept the title of the respondents 3 and 4 in the main CRP and thus render justice.

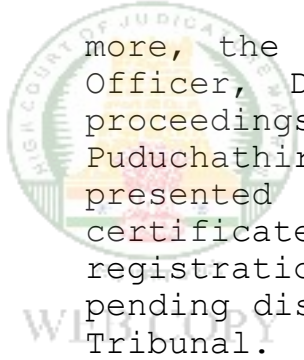
PRAYER IN CRP(MD) No.SR 18818 of 2017

To allow the Civil Revision Petition filed by the Civil Revision Petitioner for setting aside the order passed by the 1st respondent on 30.11.2016 passed I.A.No. 2432/2016 in R.P.No.85/2015 in R.P.No.85/2015 in O.A.No.315/2011 on the file of the 1st respondent, Debt Recovery Tribunal, Madurai, in consequence thereof to set aside the registration of the sale certificate registered by the 4th respondent on 01.03.2017 and pass such other order or orders as this Hon`ble Court.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.RENGASAMY, Advocate for the petitioner the court made the following order:-

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

<https://hcservices.ecourts.gov.in/hcservices/>
This petition has been filed to accept the cause title by including the respondents 3 and 4. Admittedly, the respondents 3 and 4 were not parties before the Debt Recovery Tribunal. Further



more, the petitioner has filed an application before the Recovery Officer, DRT, Madurai, in I.A.No.826/2017 to defer all further proceedings and also give directions to the Sub Registrar, Puduchathiram, Namakkal District not to release the sale deed presented for registration on 01.03.2017 based on the sale certificate issued by the Recovery Officer, along with letter of registration in R.P.No.85/2015 in DRC No.85/2015 in O.A.No.315/2011 pending disposal of Appeal No.M.A.No.6/2017 before the Debt Recovery Tribunal. This petition is pending before the Recovery officer. Therefore, in the interregnum, the petitioner is not justified in approaching this Court, seeking for virtually the same relief, as sought for before the Officer. Therefore, this petition stands disposed of by directing the Recovery officer to take up the I.A.No.826/2017, hear the parties and take a decision, in the matter, within two weeks from the date of receipt of a copy of this order.

sd/-
28/04/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE RECOVERY OFFICER,
DEBT RECOVERY TRIBUNAL, MADURAI.

+2. C.C. to M/S.S.RENGASAMY Advocate SR.No.21456

ORDER
IN
CMP(MD) No.4308 of 2017
IN
CRP(MD) No.SR 18818 of 2017
Date :28/04/2017

MS/PM.PN/SAR-2/28.04.2017/2P.4C