



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2017

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P (NPD) (MD) Nos.2368 to 2371 of 2017

HDFC Bank Ltd., having its
Branch Office at Retail Asset Division,
Sri Nithyakalyani Towers,
No.34, 2nd Floor, North Veli Street,
Madurai-1, represented by
its Legal Manager

...Revision Petitioner
in all petitions/Applicant

Vs.

1.K.Murugesan,
Partner, MRG Granites,
241-1A, Keela Valavu Village,
Keelavalavu, Madurai-625 102.

2.M.Gandhi
Karattupatty, Andipatty,
Theni.

3.PRP Exports,
379, Saraswarar Kovil Street,
Anna Nagar, Madurai-625 020

...Respondents/Defendants
in C.R.P. (NPD). (MD) No.2368 of 2017

1.P.Sureshkumar,
Partner, PRP Exports,
379, Sarveswarar Kovil Street,
Anna Nagar, Madurai-625 020.

2.P.Palanichamy,
PRP Exports,
379, Sarveswarar Kovil Street,
Anna Nagar, Madurai-625 020.

3.PRP Exports,
379, Saraswarar Kovil Street,
Anna Nagar, Madurai-625 020
(Rep through its Partner)

...Respondents/Defendants
in C.R.P. (NPD) (MD) No.2369 of 2017

1.K.Murugesan,
Partner, Murugan Enterprises,
106/12 Vellimalai Nagar Compound,
Madurai Main Road, Madurai-625 106.



2. Murugesan,
Nagammal Koil Street,
Melur, Madurai-625 106.

3. PRP Exports,
379, Sarveswarar Koil Street,
Anna Nagar, Madurai-625 020.

... Respondents/Defendants
in C.R.P. (NPD) (MD) No.2370 of 2017

1. K. Deivendran,
861 C, Velu Complex Trichy Road,
Melur, Madurai-625 106.

2. Murugan Enterprises,
10B/12, Vellimalai Nagar Compound,
Madurai Main Road,
Madurai-625 106.

... Respondents/Defendants
in C.R.P. (NPD) (MD) No.2371 of 2017

COMMON PRAYER:- Civil Revision Petitions are filed under Article 227 of the Constitution of India, to direct the Debts Recovery Tribunal, Madurai to try the original applications in O.A.Nos.884, 886, 887 of 2014 and 37 of 2015, respectively and other connected miscellaneous petitions and to pass appropriate orders on merits, within a time frame as may be fixed by this Court.

For Petitioner : Mr.M.Ponniah

COMMON ORDER

The Civil Revision Petitions are filed seeking a direction to the Debts Recovery Tribunal, Madurai to try the original applications in O.A.Nos.884, 886, 887 of 2014 and 37 of 2015, respectively and other connected miscellaneous petitions on merits within a time limit as may be fixed by this Court.

2. The petitioner is the applicant in the above original applications filed as against the respondents for recovery of loan amount towards the repayment of loan amount with subsequent interest and costs. The said Original Applications are filed along with Interlocutory Applications seeking appointment of Advocate Commissioner to seize and deliver the commercial vehicle stated in the petition and to sell the same in a public auction by following the procedures. The above matters came up for hearing on 03.03.2015, 29.04.2015 and 04.08.2015 and the respondents entered appearance through their counsel and even after completion of more than two years from the date of appearance of the respondents, the respondents did not file any written statement in the Original Applications and the matter has been adjourned without any reasons and now it has been adjourned to 23.03.2018 for filing written statement in the main Original Application and filing counter



affidavit in connected miscellaneous petitions. Since the matters are pending before the Debt Recovery Tribunal for more than 3 years without any progress, the petitioner is before this Court seeking early disposal of the said Original Applications.

3. Since the Civil Revision Petitions are filed for early disposal of the Original Applications, no notice is necessary to the respondents.

4. Heard the learned counsel for the petitioner and perused the materials available on record.

5. Considering the facts and circumstances of the case and considering the fact that the Original Applications are pending from the year 2015, this Court feels that ends of justice would be met by directing the Debts Recovery Tribunal to dispose of the said Original Applications within a time frame. Without advertting to the merits of the case, a direction is issued to the Debts Recovery Tribunal, Madurai to dispose of O.A.Nos.37 of 2015, 886 of 2014, 884 of 2014 and 887 of 2014 within a period of six months from the date of receipt of a copy of this order.

6. With the above direction, the Civil Revision Petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

The Registrar,
The Debts Recovery Tribunal,
Madurai.

+4 ccs to Mr.M.Ponniah, Advocate, SR.Nos.92062 to 92065

CM
RL/6C/3P/KK/SAR1/4/1/2018

C.R.P (NPD) (MD) Nos.2368 to 2371 of 2017

11.12.2017