

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 8/6/2018

C O R A M

THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

Writ Petition No.9915 of 2018

Mrs.Sunitha

...Petitioner

Vs

1. The Authorised Officer
City Union Bank Limited
Administrative Office
No.24 B Gandhi Nagar
Kumbakonam 612 001.
2. Mr.V.Manickam
Prop. Of M/s. Shri Vinayaga Super Market
Chengalpattu 603 002.
3. Mrs.A.Vasanth
4. The Registrar
Debts Recovery Appellant Tribunal
4th Floor, No.55 Ethiraj Salai
Indian Bank
Egmore
Chennai 600 002.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of certiorari to call for the entire records from the first respondent Bank and quash the order passed in waiver petition by Debt Recovery Appellate Tribunal, Chennai on 28/12/2017 made in I.A.No.1666 of 2017 in A.I.R (SA) No.617 of 2017.

For petitioner ... No appearance
For Respondent ... Mr.R. Balachandar

O R D E R

(Order of the Court was made by S.MANIKUMAR, J)

Order impugned is as follows:-

"Ms.Sunitha Appellant No.2 present.

Ld. Counsel Mr.R.Balachandar for R.1 Bank present.

Appellant No.2 party in person submits a Memo stating that order of pre-deposit dated 30/11/2017 has been challenged in High Court of Madras in W.P.No.34059 of 2017 and case is listed for grant of stay in today's cause list.

Matter has been taken up for hearing in second round of calling. None for appellants though name of counsel Mr.D.Durairaj appears in the cause list.

In view of the fact that neither order of pre-deposit has been complied with nor any stay order granted by the High Court is produced. Appeal stands dismissed for want of compliance of pre-deposit.

However, it is made clear that in compliance of the order of Hon'ble High Court, matter may be revived either suo moto or on application, as the case may be."

2. On 28/4/2018, we recorded as hereunder:-

"Mr.D.Durairaj, learned Senior Counsel has sent a proxy to make representation for adjournment.

Post on 8/6/2018."

3. Today, when the matter came up for hearing, there is no representation on behalf of the petitioner. Therefore, we are constrained to dismiss the writ petition.

4. Accordingly, this writ petition is dismissed for non-prosecution. No costs. Consequently, the connected Miscellaneous Petition is closed.

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

mvs.

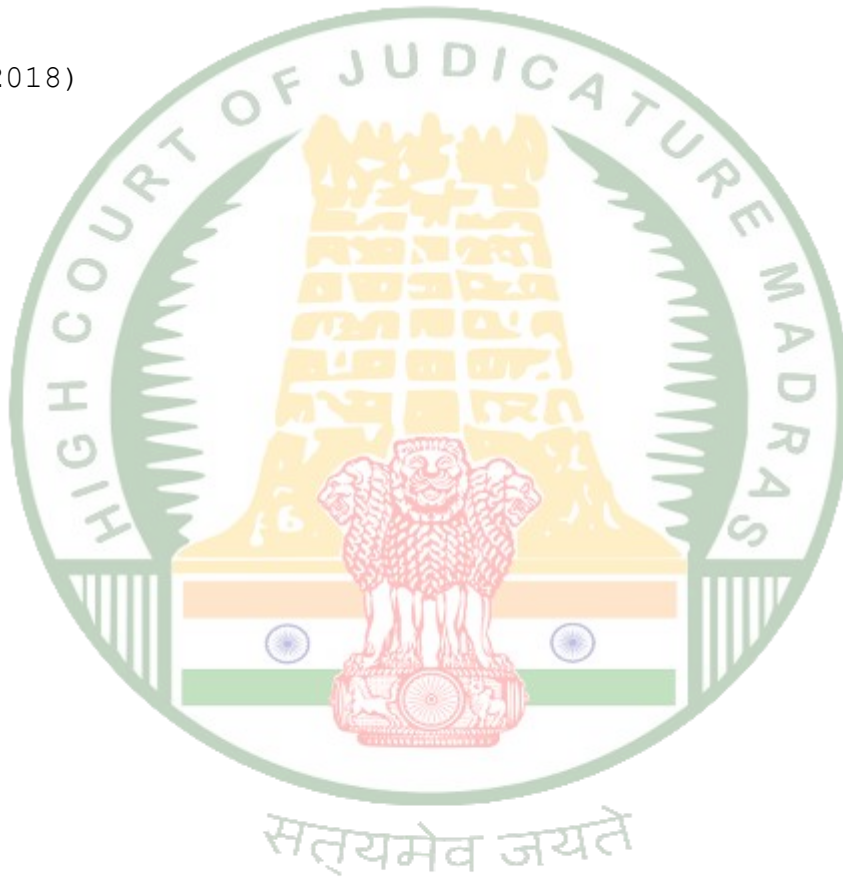
To

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Kumbakonam 612 001.

2. The Registrar
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NRL (CO)
SP (19/06/2018)



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