

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31/1/2018

C O R A M

The Honourable Mr.Justice S.Manikumar
a n d
The Honourable Mrs.Justice V.Bhavani Subbaroyan

Writ Petition No.31822 of 2013 and
MP.NO.1 OF 2013

R. Satyabhama ... Petitioner

Vs

1. The Chief Manager
Syndicate Bank
ARM Branch
SIC Building
38 Anna Salai
Chennai 600 002.
2. M/s. Unipack Commercials
Door No.31 Millars Road
Kilpauk
Chennai 10.
3. R. Rajagopalan
4. R. Sekar
5. R. Kannan
6. Y. Rajeswari
7. M. Thirunavukkarasu
8. P. Maruthai
9. M. Sethuraman
10. The Debts Recovery Tribunal - I AT Chennai.
6th Floor
Dewa Towers
770 A Anna Salai
Chennai 2.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorari to call for the records of D.R.C.No.53 of 2011 in O.A.No.1333 of 1999 on the file of the Debts Recovery Tribunal - I, Chennai and quash the Recovery Certificate dated 10/5/2011 in DRC NO.53/2011 in O.A.No.1333 of 1999 and consequent order of attachment dated 7/6/2013 in D.R.C.No.53 of 2011 in O.A.No.1333 of 1999 on the file of the Recovery Officer attached with the Debts Recovery Tribunal - I, Chennai, in respect of the property situated at Plot No.32, Jaganathan Street, Sri Lakshmana Perumal Nagar, Kottivakkam, Kanchipuram District, Chennai 600 041, in the approved layout LPDM/DRP No.80/70, comprised in S.No.232 & 232/1F as illegal, violating the Section 19, 31 A of the RDDB and FI Act, 1993, Regulations 48, 51, 73 of the Debts Recovery Tribunal Regulations of Practice, 1996 and in violation of principles of natural Justice and the consequent order of the Recovery Officer attaching the property without territorial jurisdiction is totally arbitrary, illegal and in violation of principles of natural Justice and Rules of the second schedule to the Income Tax Act, 1961 r/w. Section 29 of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 and Regulation 73 of the Debts Recovery Tribunal Regulations of Practice, 1996 and Articles 14, 21 and 300 A of the Indian Constitution.

For petitioner No appearance

For respondents Mr.P.Sreenivasulu
for R.1

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O R D E R

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

There is no representation for the petitioner.

2. Mr.P.Sreenivasulu, learned counsel for Syndicate Bank, first respondent, Chennai, submitted that account has been closed and the matter has been settled.

3. Placing on record the above, writ petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Ccc)

//True Copy//

Sub Assistant Registrar

mvs.

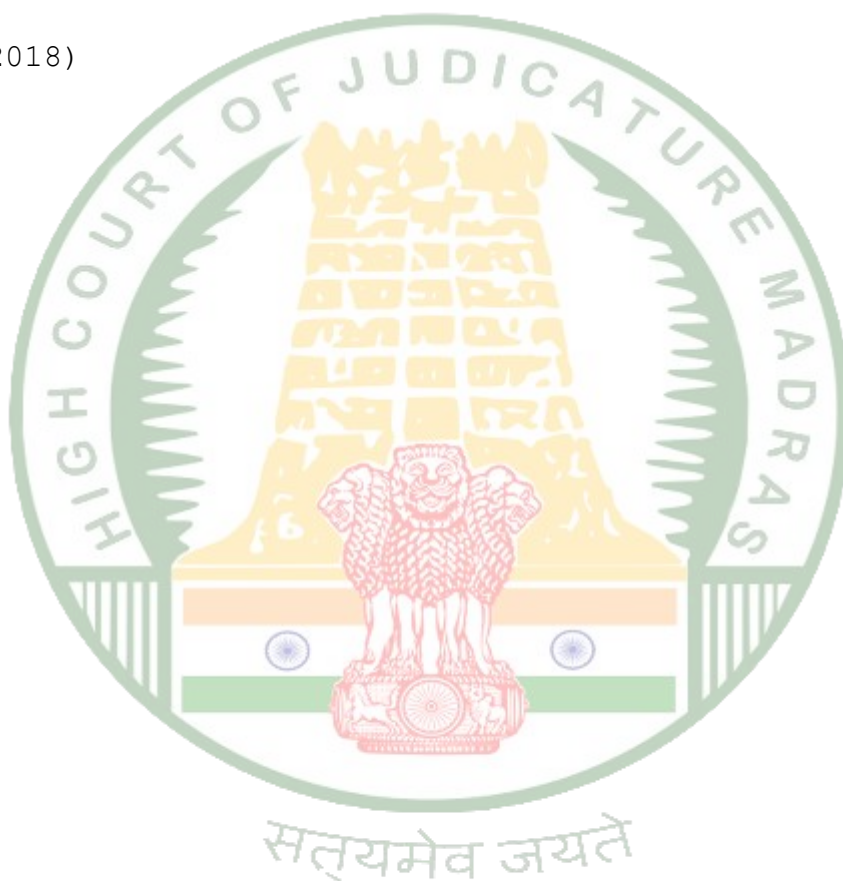
To

1.The Debts Recovery Tribunal - I
6th Floor
Dewa Towers
770 A Anna Salai
Chennai 2.

Writ Petition No.31822 of 2013

NRJK (CO)

TR(19/02/2018)



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