

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.38525 of 2017

ORDER: *(Per the Hon'ble Sri Ramesh Ranganathan)*

In this writ petition, the petitioners seek a writ of certiorari to quash the order dated 25.03.2004 passed by the Debts Recovery Tribunal, Visakhapatnam, in O.A.No.86 of 2002 (Old O.A.No.165 of 2000 of the Debts Recovery Tribunal, Hyderabad), in issuing a Certificate for recovery of interest @ 19.13% per annum with quarterly rests.

While the O.A. was disposed of on 25.03.2004, the certiorari jurisdiction of this Court was invoked, by way of the present writ petition, only on 14.11.2017 more than 13½ years after the disposal of the O.A.

A writ of certiorari is not issued as a matter of course, and is discretionary in nature. The grounds on which this Court may refuse to exercise its discretion, to entertain the writ petition, among others, is for inordinate delay and laches. No explanation, much less one which is satisfactory, has been furnished for the inordinate and unacceptable delay of 13½ years in invoking the writ jurisdiction of this Court. We see no reason, therefore, to exercise discretion to entertain the writ petition.

The writ petition fails, and is, accordingly, dismissed.

Miscellaneous Petitions pending, if any, shall also stand dismissed.

There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

Date: 14.08.2018

(KONGARA VIJAYA LAKSHMI, J)

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