

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2019

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.34104 of 2017 and

W.M.P.No.37857 of 2017

M/s.Khimji Poonja & Co.
(A Partnership Firm established under
The Indian Partnership Act)
Door No.19/21, Dalal Street
Fort Mumbai - 400 001
Rep. by its Partner
Mr.Dilip Ajitsinh Mulani Petitioner

v.

- 1 The Registrar
The Debt Recovery Appellate Tribunal
4th Floor, Indian Bank Circle Office
55 Ethiraj Salai, Chennai - 600 008
 - 2 M/s. Industrial Development Bank of India
No.115, Anna Salai, Saidapet
Chennai
 - 3 M/s.Sree Narayana Textiles (P) Ltd.
Visalakshinagar, Madurai - 625 401
 - 4 Mr.L.Narayan Chettiar
 - 5 Mr.N.Thiagarajan
 - 6 Mr.N.Palaniappan
- सत्यमेव जयते... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records of the Debts Recovery Appellate Tribunal, Chennai Passed in I.A.No.1712 of 2017 in A.I.R. 386 of 2017, dated 28.11.2017 and quash the same and direct the Debts Recovery Appellate Tribunal to hear A.I.R. 386 of 2017 without requiring the petitioner to make any deposit as contemplated under section 21 of the Recovery of Debts Due to Banks and Financial Institutions Act,1993.

For Petitioner :Mr.Thriyambak J.Kannan

For Respondents :R1 - Tribunal

Mr. J.Dev Eshwaar - for R2
for M/s.Sivakuamr & Suresh

Mr.A.V.Arun - for R3

R4 - Deceased

No appearance - for R5 & R6

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The learned counsel for the petitioner as well as the Bank state that the matter has been settled and the loan account is closed.

2. In this view of the matter, this Writ Petition has become infructuous and is, accordingly, dismissed as infructuous. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Rj
To

- 1 The Registrar
The Debt Recovery Appellate Tribunal
4th Floor, Indian Bank Circle Office
55 Ethiraj Salai, Chennai - 600 008
- 2 M/s. Industrial Development Bank of India
No.115, Anna Salai, Saidapet, Chennai.

W.P. No.34104 of 2017 and
W.M.P.No.37857 of 2017

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srg 20/02/2019