

HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION Nos.4531, 4557 AND 4577 OF 2019

COMMON ORDER: *(per V. Ramasubramanian, J)*

1) The petitioners have come up with the above writ petitions challenging an order passed by the Debts Recovery Tribunal-II, Chennai, in an interlocutory application pending Original Application filed under Section 19 of the Recovery of Debts due to Banks and Financial Institutions Act, 1993 and the consequential notice issued by the advocate-commissioner.

2) Heard Mr.E.Madan Mohan, learned counsel appearing for the petitioner in the first writ petition and Mr.T.Vijay Kumar, learned counsel appearing for the petitioners in second and third writ petition. Mr.Manohar Reddy, learned counsel takes notice for the bank.

3) What is challenged in all these writ petitions is an order passed by the Debts Recovery Tribunal-II, Chennai. Despite the fact that the petitioners are having their office at Hyderabad and despite the fact that the movable properties sought to be seized and taken possession of by the advocate-Commissioner are located within the State, the order which is under challenge in these three writ petitions is an order passed by the Debts

Recovery Tribunal-II, Chennai. The same is located within the territorial limits of the jurisdiction of the Madras High Court.

4) Though Mr.E.Madan Mohan, learned counsel contended that the properties sought to be taken possession of lies within the jurisdiction of this Court, we do not think that the jurisdiction gets extended depending upon where the movable properties are moved out. Fundamentally what is under challenge is an order of the Debts Recovery Tribunal-II, Chennai, located within the jurisdiction of territorial limits of Madras High Court. Therefore, leaving it open to the petitioners to move the Madras High Court, all the writ petitions are dismissed.

5) Consequently, miscellaneous petitions, if any, pending in these writ petitions shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

ABHINAND KUMAR SHAVILI, J

March 6, 2019
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Date: 06.03.2019