

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No. 4742 of 2020
& W.M.P.Nos. 5635 & 5638 of 2020

Senthil Kumar .. Petitioner
vs

1. The Chief Judicial Magistrate,
Coimbatore.
 2. IDFC First Bank
Rep. by its Authorised Officer/ Branch Manager,
Brindaban Branch,
218/ 2-2 T.V.Samy Road, R.S.Puram,
Coimbatore 641002.
 3. The Authorised Officer
IDFC First Bank,
4th Floor 401-407
A Wing Technopolis Knowledge Park,
Mahakali Caves Road ,
Andhere(E)Mumbai 400093.
- ... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for the records of the impugned order dated 13.01.2020 passed by the 1st Respondent in the petition numbered as Cr.M.P. No. 1198 of 2019 on the file of the 1st respondent and quash the same.

For Petitioner .. Mr.K.R.Arun Shabari

For Respondents .. R1 - Court
Mr. S.K.Mariyappan
for R2 & R3

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

What has been challenged is the order passed under Section 14(1) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

2. As rightly submitted by the learned counsel appearing for respondent/Bank, the said order can only be challenged before the Debts Recovery Tribunal, Coimbatore, which is functioning from today (28.08.2020).

3. In such view of the matter, the writ petition stands disposed of giving liberty to the petitioner to challenge the order dated 13.01.2020 within a period of two weeks from the date of receipt of a copy of the order, in which case, the same will have to be decided on merit without reference to the question of limitation. Till such time, status quo as on today shall be maintained. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Chief Judicial Magistrate,
Coimbatore.
2. The Authorised Officer/ Branch Manager,
IDFC First Bank,
Brindaban Branch,
218/ 2-2 T.V.Samy Road, R.S.Puram,
Coimbatore 641002.
3. The Authorised Officer
IDFC First Bank,
4th Floor 401-407
A Wing Technopolis Knowledge Park,
Mahakali Caves Road ,
Andhere(E) Mumbai 400093.
4. The Registrar,
Debts Recovery Tribunal, Coimbatore.

+1cc to Mr.K.R.Arun Shabari, Advocate Sr.No.28233
+2cc to Mr.S.K.Mariyappan, Advocate Sr.No.28257

W.P.No. 4742 of 2020

gj (co)
rr ii (09/09/2020)