



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2020

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH
AND
THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.No. 6101 of 2020

1.K.Anandapandi
2.K.Manosakthi
3.K.Matcharani

... Petitioners

Vs

1.The Registrar
The Debt Recovery Appellate Tribunal,
Chennai.

2.The Authorized Officer,
Housing Development Financing Corporation Limited,
760, Anna Salai, Chennai - 600 002.

3.Dr.B.Banumathi

4.Dr.V.Balasubramanian

... Respondents

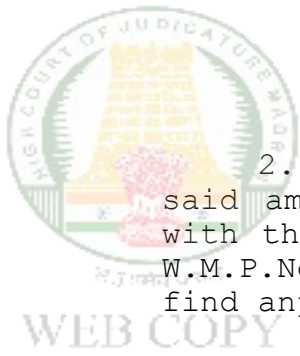
Prayer : Writ Petition filed under 226 of the Constitution of India to issue a writ of certiorarified mandamus to call for the records of the order dated 06.12.2019 passed in AIR (S.A.) No.291 of 2015 by the 1st respondent/the Debt Recovery Appellate Tribunal and quash the same and consequently direct the 1st respondent to take the appeal on file and decide the same on merits.

For Petitioner : Mr.S.Sathyaraj

ORDER

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

This writ petition has been filed challenging the conditional order passed by the Debt Recovery Appellate Tribunal imposed for entertaining the appeal.



2. On a perusal of the impugned order would show that the said amount was directed to be paid by the petitioner in tune with the order passed by this Court in W.P.No.11642 of 2019 and W.M.P.No.11880 of 2019 dated 03.07.2019. Therefore, we do not find anything wrong in the order passed.

3. However, considering the grievance expressed by the learned counsel appearing for the petitioner that the petitioner's mother was hospitalized at the relevant point of time and, therefore, he could not be able to mobilize the amount, we are inclined to grant four weeks from today to make the aforesaid payment. As and when the said payment is made as indicated above, the appeal will have to be taken up and decided on merits notwithstanding the consequential order passed.

Writ Petition stands disposed of. No costs. Consequently, connected W.M.P.Nos. 7173 and 7171 of 2020 are closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

ssm

To

The Registrar
The Debt Recovery Appellate Tribunal,
Chennai.

+1cc to Mr.S.Sathyaraj, Advocate SR.No.21321

W.P.No.6101 of 2020

SSI (CO)
GMY (01/07/2020)