

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2020

CORAM

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

W.P.No. 13347 of 2020

G.Selvam

... Petitioner

Vs.

M/s.Shriram Housing Finance Limited,
rep.by its Authorised Officer,
No.123, Angappa Naicken Street,
Chennai-600 001

... Respondent

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of mandamus forbearing the respondent, their men, officers, agents, servants, representatives or any one claiming through or under them or any other person from proceeding any further in terms of Possession Notice dated 14.12.2018 till such time the appeal to be disposed of by the Debts Recovery Tribunal at Coimbatore in S.A.No.46 of 2019.

For Petitioner.. Mr.S.Ezhilraj

ORDER

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

The petitioner herein, who is a borrower and whose application is stated to be pending consideration before the Debts Recovery Tribunal, Coimbatore in S.A.No.46 of 2019 seeks prohibitory order on the proposed taking over of the possession today (22.09.2020).

2.Though the writ petition has been filed on the premise that there is no Presiding Officer, we find that the Presiding Officer is available.

3.In such view of the matter, we do not want to interfere with the functioning of the jurisdictional Tribunal. However, taking into consideration the pendency of the application filed, we direct the Debts Recovery Tribunal, Coimbatore to dispose of

S.A.No.46 of 2019 within a period of eight weeks from the date of receipt of a copy of this order. Needless to state that any consequential action pursuant to the possession notice shall be subject to the orders to be passed by the Tribunal.

4.With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

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Sub Assistant Registrar

mmi/ssm

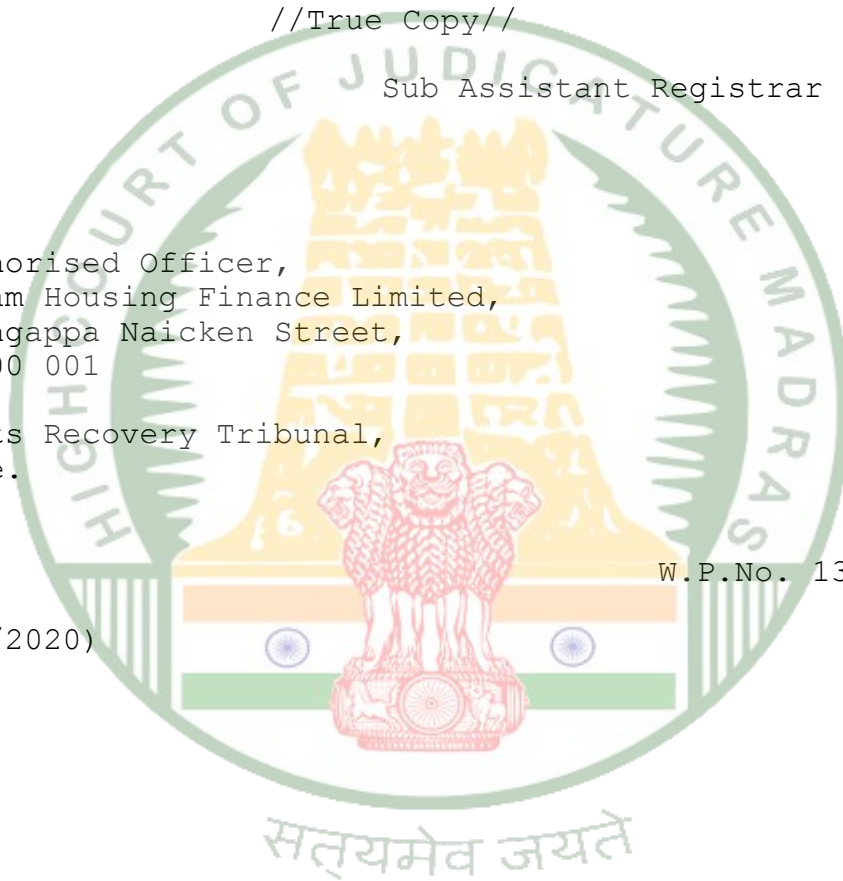
To

1.The Authorised Officer,
M/s.Shriram Housing Finance Limited,
No.123, Angappa Naicken Street,
Chennai-600 001

2.The Debts Recovery Tribunal,
Coimbatore.

W.P.No. 13347 of 2020

MR (CO)
RMP (28/09/2020)



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