

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.NO.2383 OF 2021

The Authorised Officer
State Bank of India
Stressed Assets Management Branch
No.1112, 1st Floor, Raja Plaza
Avinashi Road
Coimbatore 641 037.

... Petitioner

Vs.

1. The Registrar
DRT Coimbatore.

2. M/s.Summer India Textile Mills (P) Ltd.
rep. by its Liquidator C.V.Madhusudhanan
No.47C, Kumaresapuram East
Muniappan Koil Street
Tiruchengode, Namakkal District.

... Respondents

Prayer:

Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the first respondent to dispose of TSA No.519 of 2019 filed under Section 17 of SARFAESI Act by the second respondent and TA No.113 of 2019 filed under Section 19 of Recovery of Debts and Bankruptcy Act by the petitioner bank within a time frame as fixed by this Court.

For Petitioner : Mr.M.L.Ganesh

ORDER

(Made by the Hon'ble Chief Justice)

The petitioner seeks a direction on the relevant Debts Recovery Tribunal to expeditiously dispose of the matter.

2. Though the petitioner refers to a statute that indicates the time within which proceedings under Section 17 of the

Securitisaton and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 should be disposed of, on the practical side, it must not be lost sight of that adequate number of Benches or Tribunals are not set up to ensure due compliance with the statutory requirement.

3. However, since the matter has been pending for more than three years, albeit before the present Tribunal only for a year after its transfer, the relevant Debts Recovery Tribunal is requested to ensure that the matter is taken up at its earliest convenience and without undue delay, keeping in mind the statutory provision and the business of the relevant Tribunal.

W.P.No.2383 of 2021 is disposed of, without any order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

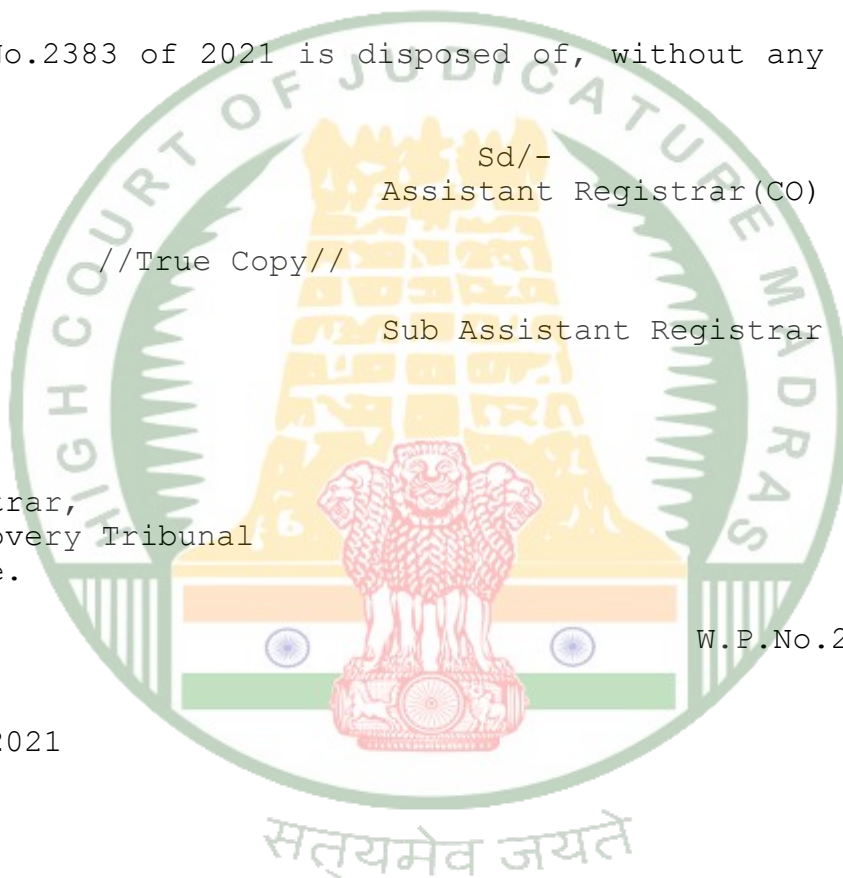
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To

The Registrar,
Debts Recovery Tribunal
Coimbatore.

W.P.No.2383 of 2021

AD (CO)
CS/18/02/2021



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