



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.Nos.26633 and 32208 of 2014

W.P.No.26633 of 2014:

A.Akthar Hussain

...Petitioner

-vs-

1.K.Pappireddiyar

2.Indian Bank,
rep. by its Chairman and Managing Director,
Chennai - 600 001.

3.The Authorised Officer and Chief Manager,
Indian Bank,
Asset Recovery Management Branch-II,
No.55, Ethiraj Salai,
Chennai - 600 008.

4.The Registrar,
The Debt Recovery Appellate Tribunal,
No55, Ethiraj Salai, Indian Bank Building,
4th Floor, Wellington Estate, Egmore,
Chennai - 600 008.

...Respondents

W.P.No.32208 of 2014:

1.Indian Bank,
rep. by its Chairman and Managing Director,
Chennai-1.

2.The Authorized Officer and Chief Manager,
Indian Bank,
Asset Recovery Management Branch-II,
No.55, Ethiraj Salai,
Chennai - 600 008.

...Petitioners



-vs-

1.K.Pappireddiyar
2.A.Akthar Hussain

...Respondents

WEB COPY

W.P.No.26633 of 2014 filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari calling for the records on the file of the Debt Recovery Appellate Tribunal, Chennai in respect of order dated 11.09.2014 made in RA(SA) No.43/2014 in S.A.No.118/2013 on the file of DRT-3, Chennai and quash the same.

W.P.No.32208 of 2014 filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari calling for the records relating to R.A. (SA) No.43 of 2014 dated 11.09.2014 on the file of the Debts Recovery Appellate Tribunal at Chennai, quash the same.

W.P.No.26633 of 2014:

For Petitioner	: Mr.D.Durairaj
For Respondents	: Mr.G.Sai Baba for respondent No.1
	: Mr.Jayesh B.Dolia for respondent Nos.2 and 3

W.P.No.32208 of 2014:

For Petitioners	: Mr.Jayesh B.Dolia
For Respondents	: Mr.G.Sai Baba for respondent No.1
	: Mr.D.Durairaj for respondent No.2

COMMON ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

These two writ petitions arise out of a common order of the Debt Recovery Appellate Tribunal dated September 11, 2014. By such order, the appeal before the Debt Recovery Appellate Tribunal was allowed and the confirmation of the sale of the



entitle the depositor to reasonable return thereon, though not matching the high rate of interest charged by banks in according credit facilities.

7. W.P.Nos.26633 and 32208 of 2014 are disposed of. It is hoped that the balance amount is refunded to the borrower within a period of four weeks from date together with the fullest accounts to justify the quantum being refunded. There will be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

- 1.The Chairman and Managing Director,
Indian Bank,
Chennai - 600 001.
- 2.The Authorised Officer and Chief Manager,
Indian Bank,
Asset Recovery Management Branch-II,
No.55, Ethiraj Salai,
Chennai - 600 008.
- 3.The Registrar,
The Debt Recovery Appellate Tribunal,
No55, Ethiraj Salai, Indiab Bank Building,
4th Floor, Wellington Estate, Egmore,
Chennai - 600 008.

+2cc to Mr.G.Saibaba, Advocate,Sr.25167
+1cc to Mr.D.DUrairaj, Advocate,Sr.25126

W.P.Nos.26633 and 32208
of 2014

JP[co]
NSK 06/08/2021