



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2021

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE S.KANNAMMAL

W.P.Nos.17584 & 17587 of 2021
and W.M.P.Nos.18705,18708,18704 and 18707 of 2021

WP No.17584/2021

1.M/s.Shree Bhuvanam Knitt Fabs
Rep. By Proprietrix Mrs.J.Bhuvaneswari,
W/o.Jayaprakash,
No.17, SPA Exporting Compound,
Kaallampalayam Near Ration Shop,
Tirupur - 641 601

2.Kandhapravin

3.P.K.Jayaprakash

..Petitioners
in WP No.17584/2021

Vs.

Union Bank of India
Erstwhile Corporation Bank
Rep. By its Authorized Officer,
300/1,Mangalam Road,
Tiruppur - 641 604

..Respondent
in WP No.17584/2021

WP No.17587 of 2021

1 M/S.LOTUS KNITT FABS
Rep. by proprietrix Mrs. Hemalatha
W/o. Mr. Kanda Pravin
No. 25 SPA Exports Compound
Kallampalayam Iduvai (PO)
Tirupur 641 601

2 J. Bhuvaneswari

3 Mr. Kandhapravin

4 P K Jayaprakash

...Petitioners in WP No.17587/2021



Vs

1

The Authorised officer
Union Bank of India
Erstwhile corporation Bank
300/1 Mangalam Road
Tiruppur 641 604
IFSC Code CORP000087

...Respondent in WP No.17587/2021

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the Debts Recovery Tribunal, Coimbatore to dispose of I.A.No.794/2021 and I.A.No.795/2021 in S.A.No.202/2021 on the file of Debt Recovery Tribunal, Coimbatore on or before 22.09.2021 i.e., the date of auction.

Prayer in WP No.17587 of 2021 : Writ Petitions filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the Debt Recovery Tribunal Coimbatore to dispose of the I.A. No.797/ 2021 and I.A No. 798/2021 in S.A. No. 204/ 2021 on the file of Debt Recovery Tribunal Coimbatore on or before 22.09.2021 ie. the date of auction.

For Petitioner : Mr.P.Raghunathan
for Mr.A.Joseph Dorairaj
(in both cases)

For Respondent : Mr.Srinath Sridevan
(in both cases)

COMMON ORDER
(Made by M.M.SUNDRESH, J.)

The present writ petitions have been filed by the petitioners being the different borrowers seeking to expedite the interlocutory applications filed in the month of March, 2021 in I.A.Nos.794 and 795 of 2021 in S.A.No.202 of 2021 and I.A.Nos.797 and 798 of 2021 in S.A.No.204 of 2021 on the premise that the mandate of Section 17(5) of the SARFAESI Act will have to be complied with particularly when the auction is proposed to be held on 22.09.2021 by the respondent/Bank.

2. Heard the learned counsel appearing for the parties.

3. Learned counsel appearing for the petitioners submitted that the applications have been filed in the month of March, 2021 and, therefore, the applications may be disposed of at an



earlier point of time. If the proposed auction is allowed to continue and thereafter confirmed, then these applications would become infructuous.

4. Learned counsel appearing for the respondent/Bank submitted that there is no impediment for the Bank to proceed further in the manner known to law.

5. Taking into consideration the nature of the prayer sought for which is to expedite the process in disposing of the applications filed in I.A.Nos.794 and 795 of 2021 in S.A.No.202 of 2021 and I.A.Nos.797 and 798 of 2021 in S.A.No.204 of 2021, we deem it appropriate to direct the Debts Recovery Tribunal, Coimbatore, to dispose of the same on or before 22.09.2021. Needless to state that the parties are expected to co-operate with the Tribunal for the disposal of the applications.

6. With the above direction, the writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

mmi/ssm

To

The Authorised Officer,
Union Bank of India
Erstwhile Corporation Bank
Rep. By its Authorized Officer,
300/1, Mangalam Road,
Tiruppur - 641 604

Copy To

The Debts Recovery Tribunal,
Coimbatore.

+2ccs to Mr.A.Joseph Dorairaj, Advocate SR.No.42350

W.P.Nos.17584 & 17587 of 2021

PMK (CO)
GMY (03/09/2021)