



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.18111 of 2021

S.Shanthi

...Petitioner

Vs

Punjab National Bank
Rep by The Authorized Officer/ Chief Manager
No.774 Oppanakara Street
Coimbatore- 641 001.

...Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the Presiding Officer of the Debts Recovery Tribunal to take up the S.A.S.R. No.7127/2020 and to dispose of the same on merits and in accordance with law within a stipulated period.

For the Petitioner : Mr.K.Selvaraj

For the Respondent : Mr.M.L.Ganesh

ORDER

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

The apparently innocuous prayer of the petitioner is for a petition pending before the Debts Recovery Tribunal, Coimbatore, numbered as S.A. S.R.7127 of 2020, to be disposed of expeditiously.

2. It is submitted on behalf of the respondent secured creditor that such petition was filed after an inordinate delay and despite the petitioner not having explained the reason for the delay before the Debts Recovery Tribunal, a number of writ petitions have been filed in this court to thwart the secured creditor from pursuing its remedies and also for directions on the tribunal to dispose of the matter expeditiously.

3. The secured creditor need not be worried since there is no order operating against the secured creditor and its right to proceed against the securities, if any.



4. W.P.No.18111 of 2021 is disposed of by requesting the Debts Recovery Tribunal, Coimbatore, to dispose of S.A.S.R.No.7127 of 2020 as expeditiously as possible and, preferably, within a period of six months from date. Nothing in this order should be construed to have condoned the delay in carrying the matter to the Debts Recovery Tribunal, since it is only up to the tribunal to consider whether appropriate grounds have been furnished in such regard. Nothing in this order will prevent the respondent secured creditor from taking immediate appropriate steps in accordance with law against the petitioner and any security that may have been furnished.

5. W.M.P.No.19340 of 2021 is closed. There will be no order as to costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

tar

To:

The Authorized Officer/ Chief Manager ,
Punjab National Bank,
No.774 Oppanakara Street,
Coimbatore- 641 001.

+lcc to M/s.K.Selvaraj, Advocate, S.R.No.45791

W.P.No.18111 of 2021

KSM[co]
NSK 14/09/2021