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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE P.D.AUDIKESEVALU

W.P.No.20555 of 2021

N.Umayal

... Petitioner

.Vs.

1. The Branch Manager,
City Union Bank Limited,
Chromepet Branch,
No.57, R.P.Road, Asthinapuram,
Chromepet, Chennai - 600 044.

2. The Authorised Officer,
City Union Bank Limited,
Head Office,
No.24-B, Gandhi Nagar,
Kumbakonam - 612 001.

... Respondents

PRAYER:-

Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent Bank to remove the lock and seal, pending disposal of the above S.A.No.188/2021 and also the Application filed by the interested purchaser/third party/intervenor in the above S.A., by the learned Debt Recovery Tribunal-I, Chennai.

For the Petitioner : Mr.B.Divakaran

ORDER

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

The real grievance of the petitioner is that an application that has been carried to the Debts Recovery Tribunal-I, Chennai, has not been taken up for consideration and has now been adjourned to October 5, 2021.



2. The petitioner claims that the application before the Tribunal is by a purchaser, who has been identified by the petitioner. According to the petitioner, the purchaser has applied to make an offer to purchase the immovable property which has been furnished by the petitioner by way of security to the respondent bank. The petitioner submits that if the offer of the purchaser, as disclosed in the relevant application, is accepted, the petitioner would be rid of the debt and the bank's claim would also be satisfied.

3. Since October 5, 2021 is about a fortnight from date, it does not appear rational or reasonable on the part of the petitioner to approach this court complaining of the delay in the matter being taken up. At any rate, just as in courts, Debts Recovery Tribunals are also burdened with far too many matters than may conveniently be addressed or disposed of within a reasonable time. In such circumstances, the court is not minded to issue any direction requiring the Tribunal to take up and dispose of the relevant application.

4. W.P.No.20555 of 2021 is disposed of by requesting the Debts Recovery Tribunal-I, Chennai to take up S.A.No.188 of 2021 within reasonable time on the next adjourned date and, subject to its convenience and time available, dispose of the same without granting any unnecessary adjournment to any of the parties thereto.

5. There will be no order as to costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Debts Recovery Tribunal-I,
Chennai.
2. The Branch Manager,
City Union Bank Limited,
Chromepet Branch,
No.57, R.P.Road, Asthinapuram,
Chromepet, Chennai - 600 044.



3. The Authorised Officer,
City Union Bank Limited,
Head Office,
No.24-B, Gandhi Nagar,
Kumbakonam - 612 001.

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+1cc to Mr.B.Divakaran, Advocate, S.R.No.49709

W.P.NO.20555 OF 2021

AJS (CO)
PBS/30/09/2021