



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

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

W.P.No.34322 of 2018

1.A.P.Subramanien

2.S.Janaki

.. Petitioners

Vs.

1. State Bank of India,
Stressed Assets Recovery Branch,
377/1, Dr.Nanjappa Road,
Behind N.S.Palaniappa Nursing Home,
Coimbatore 641 018.

2. The Registrar,
Debts Recovery Appellate Tribunal,
4th Floor, Indian Bank Circle Office,
55, Ethiraj Salai,
Chennai 600 008.

3. The Registrar,
Debts Recovery Tribunal,
VRS Towers,
No.1670 Trichy Road,
Ramaswamy Nagar,
Ramanadhapuram,
Coimbatore 641 045.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records in A.I.R.No.309 of 2018, impugned order dated 16.09.2018 passed by the second respondent, Registrar, DRAT Chennai and quash the same.

For Petitioner : No appearance

For Respondents : Mr.S.Sethuraman for R-1

: RR 2 and 3 Tribunal



ORDER

(Made by the Hon'ble Chief Justice)

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2. When the matter appeared on February 19, 2021 the petitioner sought an adjournment, which was granted, despite it being observed that the petition appeared, prima facie, to be misconceived since it purported to challenge the steps taken by the bank under the Recovery of Debts and Bankruptcy Act, 1993.

3. The matter next appeared on June 18, 2021 when the petitioner was not represented. It appeared next on July 9, 2021 when, again, the petitioner went unrepresented.

4. Since it appears that the petitioner may no longer be interested in pursuing the matter and, in any event, previous leave had been granted to the respondent bank to take immediate appropriate steps in accordance with law notwithstanding the pendency of the petition, W.P.No.34322 of 2018 is dismissed for default. The petitioner will have liberty to apply for restoration.

There will be no order as to costs. Consequently, W.M.P.Nos.39898 and 39900 of 2018 are closed.

Sd/-

Assistant Registrar(CS V)

Dt 10/08/2021

//True Copy//

Sub Assistant Registrar

sra

To:

1. State Bank of India,
Stressed Assets Recovery Branch,
377/1, Dr.Nanjappa Road,
Behind N.S.Palaniappa Nursing Home,
Coimbatore 641 018.
2. The Registrar,
Debts Recovery Appellate Tribunal,
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VRS Towers, No.1670 Trichy Road,
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+1cc to Mr.S.Sethuraman, Advocate, S.R.No.38641

W.P.No.34322 of 2018

RLD(CO)
HS(10/08/2021)