



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

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

W.P.No.1573 of 2022

1.Jaya Balies K.

2.Smilin S.

..Petitioners

Vs.

1. Debt Recovery Appellate Tribunal
7th Floor, Additional Office Building
Shastri Bhawan
Haddows Road, Chennai-6.
2. Debts Recovery Tribunal - Madurai
III & IV Floor, Kalyani Towers
4/162, Madurai Melur Road
Uthangudi, Madurai-625107.
3. The Authorized Officer
Bajaj Finance Ltd., having
Corporate Office at III Floor
Bajaj Finserv Panchsil Tech Park
Viman Nagar, Pune, Maharashtra-411014.
also having branch office at
No.85, I Floor, Sidel Towers
Opp. WCC College, WCC Road
Nagercoil-1.

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for records relating to the Interim Order passed by the learned Debts Recovery Tribunal Madurai in IA No.2012 of 2021 in SA No.577 of 2021 dated 17.12.2021, herein 2nd Respondent herein and modify the same as being arbitrary and consequently extend the time for complying with the conditional order.



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For Petitioner : Mr.L.Thiyagaiya

ORDER

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

The writ petition has been filed challenging the order of the Debts Recovery Tribunal, Madurai. The cause of action as a whole arose within the territorial jurisdiction of the Madras High Court Bench at Madurai. The Debt Recovery Appellate Tribunal has been made a party, without any prayer against it or any other reference.

2. Merely making the Debt Recovery Appellate Tribunal as a party respondent to the writ petition would not give territorial jurisdiction to this Court in regard to the cause of action which arose in the territorial jurisdiction of Madurai Bench. Accordingly, the writ petition is dismissed. However, the petitioner is given liberty to avail the remedy before the Madurai Bench. Consequently, WMP Nos.1691 and 1693 of 2022 are also dismissed.

Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar

kpl

To:

1. The Debt Recovery Appellate Tribunal
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Shastri Bhawan, Haddows Road, Chennai-6.
2. The Debts Recovery Tribunal - Madurai
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RP[co]
NSK 09/02/2022