



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2022

CORAM :

THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

W.P.NO.1426 OF 2022
AND C.M.P.NO.1571 OF 2022

Soundaram

...Petitioner

Vs.

The Authorized Officer,
Karur Vysya Bank,
No.633-637, 1st Floor,
Jawahar Bazaar, Karur-639 002.

...Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of mandamus to direct the Debt Recovery Tribunal, Coimbatore to consider the S.A. on merits by accepting Rs.75 lakhs as condition as against the conditional order of Rs.1 crore in the order dated 01.12.2021 in I.A.No.2101/2021 in S.A.No.481/2021 on the file of the DRT, Coimbatore.

For Petitioner : Mr.R.R.Pradheep

For Respondent : Mr.Umasuthan

O R D E R

(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of mandamus directing the Debts Recovery Tribunal, Coimbatore to consider the S.A. on merits by accepting Rs.75 lakhs as condition as against the conditional order of Rs.1 crore impugned in the order dated 01.12.2021 in I.A.No.2101 of 2021 in S.A.No.481 of 2021.

2.When the Writ Petition is taken up for hearing, the learned counsel for the petitioner submitted that the petitioner is willing to deposit the 2nd installment of Rs.50 lakhs within a period of two weeks.



3.Mr.Umasuthan, learned counsel appearing for the respondent - Bank has no objection in granting two weeks time for paying the 2nd installment of Rs.50 lakhs.

4.In view of the submissions made by the learned counsel on either side, the Writ Petition is disposed of by giving a direction to the petitioner to pay the 2nd installment of Rs.50 lakhs within a period of two weeks from the date of receipt of a copy of this order. On compliance of the conditional order by the petitioner, the Debts Recovery Tribunal, Coimbatore, is directed to dispose of the appeal in S.A.No.481 of 2021, on merits and in accordance with law, within a period of eight weeks from the date of compliance of the conditional order. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar

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To

1.The Registrar,
The Debts Recovery Tribunal,
Coimbatore.

2.The Authorized Officer,
Karur Vysya Bank,
No.633-637, 1st Floor,
Jawahar Bazaar, Karur-639 002.

+1cc to Mr.R.R.Pradheep, Advocate Sr.No.12709 (28/02/2022)

W.P.No.1426 of 2022
and C.M.P.No.1571 of 2022

MG(CO)
RVM(25/02/2022)