



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2022

WEB COPY

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.9333 of 2022

and W.M.P.Nos.9087 and 9089 of 2022

K.Ramasamy

... Petitioner

vs

1. The Hon'ble Chairperson,
Hon'ble Debts Recovery Appellate Tribunal,
Chennai.
2. The Presiding Officer,
Hon'ble Debts Recovery Tribunal,
Coimbatore.
3. The Authorised Officer,
M/s.Asset Reconstruction Company
(India) limited, Rep. by its
Authorized Officer, The Ruby, 10th Floor,
29, Senapati Bapat Marg, Dadar (West),
Mumbai 400 028.
Also at No.1-G, First Floor, Century Plaza,
No.560-562, Anna Salai, Teynampet,
Chennai 600 018.
4. The Manager,
State Bank of India City Branch,
Coimbatore 641 001.
5. R.Sivasubramanian ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the Impugned order passed by the 2nd respondent in S.A.No.150 of 2020 vide order dated 30.07.2021



and quash the same as illegal and consequently direct the 5th respondent not to create any further encumbrance of the property situated at R.S.F.No.195/2, Door No.145 and 146 Perur Main Road, Selvapuram, Coimbatore till the disposal of the appeal pending before the 1st respondent in AIR No.156 of 2021 within stipulated time fixed by this Court.

For the Petitioner: Mr.M.Dinesh
for Mr.M.Natarajan

ORDER

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

The writ petition has been filed to seek an interim order in pending appeal before the Debt Recovery Appellate Tribunal, Coimbatore. The writ petition is not maintainable while the matter is pending consideration before the DRAT against the order passed by the DRT.

2. In view of the above, the petitioner prays for withdrawal of the writ petition with liberty to pursue the pending appeal for its expeditious disposal.

The writ petition is, accordingly, dismissed as withdrawn, giving liberty as prayed for. No costs. Consequently, W.M.P.Nos.9087 and 9089 of 2022 are closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

sra
To:

1. The Hon'ble Chairperson,
Hon'ble Debts Recovery Appellate Tribunal,
Chennai.
2. The Presiding Officer,
Hon'ble Debts Recovery Tribunal,
Coimbatore.



3. The Manager,
State Bank of India City Branch,
Coimbatore 641 001.

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W.P.No.9333 of 2022

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srg 25/04/2022