



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2022

CORAM :

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

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.NO.14409 OF 2022

AND W.M.P.NO.13636 OF 2022

Selvamaniammal

.. Petitioner

vs

1. The Authorised Officer,
Bank of Baroda (Erstwhile Vijaya Bank),
(IFSC Code No.VIJB0003044) (BARB0PBBANN),
Anna Nagar Branch, No.W-123, 3rd Avenue,
Anna Nagar, Chennai 600 040.
2. M/s.Sree Deepti Ventures Ltd.
Reg.Office at No.32, 10, Loganathan Street,
Ambattur, Chennai 600 053.
3. Seethamma
4. Tummpudadi Subba Rao
5. Manivasagam Kandhaswamy
6. Sai Aravind
7. R.Pounraj
8. Lakshmi Priya J.

.. Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the records pertaining to the order dated 06.08.2021 in S.A.No.54 of 2020 disposed on the file of Debt Recovery Tribunal III, Chennai and quash the same and consequently allow this writ petition.

For the Petitioner : Mr.S.S.Sudharsanam
for Mr.G.Peranban



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ORDER

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

The writ petition has been filed to challenge the order dated 06.08.2021 by maintaining the writ petition despite availability of remedy of appeal before the Debt Recovery Appellate Tribunal. No reason has been assigned in the writ petition to justify the filing of the writ petition without availing the alternative remedy of appeal.

2. In view of the above, the writ petition would not be maintainable to challenge the order of the Debts Recovery Tribunal dated 06.08.2021. The writ petition was filed on 06.06.2022, after a lapse of almost one year. However, without going into it, the writ petition is dismissed due to the availability of remedy of appeal and as no reason assigned for not availing the remedy aforesaid. The petitioner would be at liberty to avail the alternative remedy of appeal, however, the order would not mean condoning the delay to maintain an appeal. No costs. Consequently, W.M.P.No.13636 of 2022 is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sra

To:

The Debts Recovery Tribunal-III,
Chennai.

+1cc to Mr.G.Peranban, Advocate, S.R.No.34381

W.P.No.14409 of 2022

AJB (CO)
PM/16/06/2022