



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2022

CORAM :

THE HON'BLE MR.JUSTICE M.DURAI SWAMY
AND

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

W.P. No.10460 of 2022
and W.M.P. No.10160 of 2022

Muthulakshmi

.. Petitioner

vs.

1. The Union Bank of India,
SSI Tiruppur Branch,
Rep. By the Authorized Officer,
No.52, Lakshmi Building,
New Market Street,
Tiruppur.

2. K.N.Kavin

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus, directing the Debt Recovery Tribunal at Coimbatore to dispose of the interim stay application in I.A.No.3524 of 2021 in S.A.No.837 of 2021 on merits and in accordance with law, within stipulated period as fixed by this Court.

For Petitioner : Mr. V.Raghavachari
for Mr.MA.P.Thangavel

ORDER

(Order of the Court made by M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the Debt Recovery Tribunal, Coimbatore to dispose of the interim stay application in I.A.No.3524 of 2021 in S.A.No.837 of 2021 on merits and in accordance with law, within a time frame.

2. It is the grievance of the petitioner that though the stay petition was filed by her as early as on 02.12.2021, the Debt Recovery Tribunal has not passed any order in the stay petition.



3. Mr. V.Raghavachari, learned counsel appearing for the petitioner submitted that a direction may be given to the Debt Recovery Tribunal to dispose of the stay petition as expeditiously as possible, since the petitioner would be put to hardship and prejudice if an order stay is not granted.

4. Having regard to the submissions made by the learned counsel appearing for the petitioner, taking into consideration the limited prayer sought for in the Writ Petition, without expressing any opinion with regard to the merits of the case, we direct the Debt Recovery Tribunal, Coimbatore, to dispose of the stay petition in I.A.No.3524 of 2021 in S.A.No.837 of 2021, on merits and in accordance with law, after giving an opportunity of hearing to the respondents, within a period of ten days from the date of receipt of a copy of this order.

With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

RJ

To

1. The Authorized Officer,
Union Bank of India,
SSI Tiruppur Branch,
No.52, Lakshmi Building,
New Market Street,
Tiruppur.
2. The Presiding Officer,
Debt Recovery Tribunal,
Coimbatore.

+1cc to Mr.Thangavel, Advocate, S.R.No.28055

W.P.No.10460 of 2022
and W.M.P. No.10160 of 2022

MG(CO)
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