



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.05.2022

CORAM

THE HON'BLE MR. JUSTICE R. MAHADEVAN
AND
THE HON'BLE MRS. JUSTICE S. ANANTHI

W.P.No.12107 of 2022

P.Radhakrishnan

..Petitioner

Vs.

1.The Recovery Officer,
Debts and Recovery Tribunal,
Coimbatore.

2.M/s.Union Bank of India,
Coimbatore Main Branch,
Coimbatore.

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the 1st respondent to pass orders in the petitioner's memo dated 16.12.2021 in S.R.No.11208 of 2021 in R.P.No.52 of 2006 in DRC.No.47 of 2006 on the file of the 1st respondent on merits within a reasonable time frame as fixed by this Court.

For Petitioner : Mr.K.R.Sankaran

ORDER

(Order of the Court was made by R. MAHADEVAN, J.)

This writ petition has been filed seeking a direction to the first respondent to pass orders in the petitioner's memo dated 16.12.2021 in S.R.No.11208 of 2021 in R.P.No.52 of 2006 in DRC.No.47 of 2006 on the file of the first respondent on merits within a reasonable time frame as fixed by this Court.

2. It is the case of the petitioner that the second respondent / Bank initiated recovery proceedings against him in T.A.No.1427 of 2002 on the file of the Debt Recovery Tribunal (DRT), Coimbatore for recovering a sum of Rs.27,53,798.38/-. Pursuant to the order passed in T.A.No.1427 of 2002, debt recovery certificate in DRC.No.47 of 2006 was issued and recovery proceedings in R.P.No.52 of 2006 was initiated before



DRT, Coimbatore and the same is pending, due to which, valuable movable and immovable properties are lying idle with the respondent / Bank. Therefore, he has filed a memo dated 16.12.2021 seeking details of total outstanding payable by the petitioner. Since no orders have been passed, the present writ petition came to be filed with the above prayer.

3. Heard Mr.K.R.Sankaran, learned counsel for the petitioner, who submitted that the petitioner's memo is pending from 16.12.2021 without any consideration and hence, appropriate direction be issued to the first respondent in this regard.

4. Considering the facts and circumstances of the case and also the submissions made by the learned counsel for the petitioner, this Court directs the 1st respondent to consider the memo / representation of the petitioner dated 16.12.2021 and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

5. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

mmi/nsd

To

1.The Recovery Officer,
Debts and Recovery Tribunal,
Coimbatore.

2.M/s.Union Bank of India,
Coimbatore Main Branch,
Coimbatore.

+1cc to Mr.K.R.Sankaran, Advocate, S.R.No.31076

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RK(CO)
SB(16/05/2022)