



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.05.2022

Coram

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.13137 of 2022
and
W.M.P.No.12486 of 2022

P.R.Palanisamy
S/o.P.Rangasamy

.. Petitioner

Vs.

1.The Authorised Officer,
Canara Bank, Bhavani Branch,
Rajalakshmi Complex,
NH 47 Main Road,
Near New Bus Stand,
Bhavani - 638 301.Erode District.

2. P.Krishnamoorthy,
S/o. Palanisamy

.. Respondents

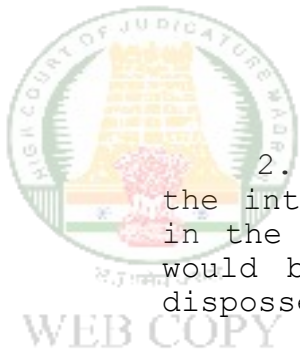
Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent/DRT Coimbatore and dispose of I.A.No.1303 of 2021 filed along with S.A.No.309 of 2021 by the petitioner within a particular time by granting an interim protection to the petitioner till the disposal of same.

For Petitioner : Mr.M.Vijay Anand
for Mr.M.Elango

ORDER

[Made by S.M.SUBRAMANIAM, J]

The grievance of the writ petitioner is that he filed a SARFAESI Appeal in S.A.No.309 of 2021 challenging the possession notice dated 29.07.2020 and along with SARFAESI Appeal, the petitioner has filed an interlocutory application in I.A.No.1303 of 2021 for granting an ad-interim injunction against the respondents not to alienate and encumber the schedule mentioned item No.2 of the property till the disposal of the SARFAESI Appeal.



2. Learned counsel for the petitioner made a submission that the interlocutory application is pending for about one year and in the event of any further delay, the right of the petitioner would be prejudiced. The respondents are initiating action to dispossess the petitioner from the subject property.

3. Considering the facts and circumstances, the Debt Recovery Tribunal, Coimbatore, is directed to dispose the interlocutory application filed by the writ petitioner in I.A.No.1303 of 2021 filed along with S.A.No.309 of 2021, as expeditiously as possible, preferably, within a period of six (6) weeks from the date of receipt of a copy of this order.

Accordingly, this writ petition is disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(Vacation Officer)

//True Copy//

Sub Assistant Registrar

gm/mp
To

The Debt Recovery Tribunal,
Coimbatore.

2.The Authorised Officer,
Canara Bank, Bhavani Branch,
Rajalakshmi Complex,
NH 47 Main Road,
Near New Bus Stand,
Bhavani - 638 301.Erode District.

+1 cc to Mr.M.Elango, Advocate Sr.NO. 31694

Writ Petition No.13137 of 2022

sra(CO)
A.SK(27/05/2022)