



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2022

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.Nos.14401, 14404 and 14407 of 2022
and
W.M.P. Nos.13621, 13622, 13625, 13626, 13630 & 13631 of 2022

N.Prapanna Kumar	..Petitioner in W.P. No.14401 of 2022
N.Lakshmi Priya	..Petitioner in W.P. No.14404 of 2022
N.Radhika	..Petitioner in W.P. No.14407 of 2022

-vs-

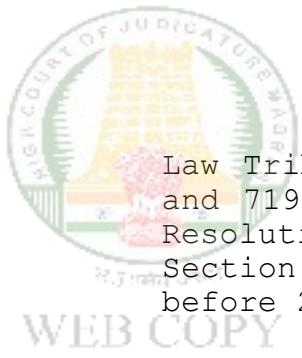
1. State Bank of India,
represented by Assistant General Manager,
Stressed Asset Management Branch,
Red Cross Building, Montieth Road,
Egmore, Chennai - 600 008.
2. Anil Kumar Khicha
Partner,
AAA Insolvency Professional LLP ..Respondents in all cases

Prayer in all petitions: Writ Petitions filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari calling for the records in the Proceedings in I.B.A. Nos.717, 730 and 719/2020 respectively on the file of the Hon'ble National Company Law Tribunal, Division II, Chennai Bench and quash the impugned order dated 29.04.2022 passed by the Hon'ble National Company Law Tribunal, Division II, Chennai Bench.

For Petitioners	:	Mr.Vineet Subramanian for M/s.Vivrti Law
For respondents	:	Mr.K.Chandrasekaran, SBI (Panel) for R1

COMMON ORDER
(Order of the Court was made by T.RAJA, J.)

These writ petitions have been filed, challenging the impugned order dated 29.04.2022 passed by the National Company



Law Tribunal, Division II, Chennai Bench in I.B.A. Nos.717, 730 and 719/2020 respectively, wherein a direction was given to the Resolution Professional to file an Interim Application under Section 106 of the Insolvency and Bankruptcy Code, 2016 on or before 29.06.2022.

2.Since the petitioners are having effective and statutory remedy before the Appellate Authority, they cannot come to this Court invoking Article 226 of the Constitution of India. If they are aggrieved, they have to work out their remedy by filing an Appeal before the Appellate Authority.

3.Learned counsel for the petitioners brought to the notice of this Court that the petitioners were not even served with the copy of the report dated 01.04.2022.

4.Accordingly, these writ petitions stand dismissed with liberty to the petitioners to raise such plea before the Appellate Authority. Consequently, W.M.P. Nos.13621, 13622, 13625, 13626, 13630 & 13631 of 2022 are closed. No costs.

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

vga

To

1. State Bank of India,
represented by Assistant General Manager,
Stressed Asset Management Branch,
Red Cross Building, Montielth Road,
Egmore, Chennai - 600 008.

2. National Company Law Tribunal,
Division II, Chennai Bench.

+3cc to M/s.R.S.Diwaagar, Advocate, S.R.No.35848, 35850,35852
+1cc to M/s.K.Chandrasekaran, Advocate, S.R.No.36144

W.P.Nos.14401, 14404 and 14407 of 2022
and
W.M.P.Nos.13621, 13622, 13625,
13626, 13630 & 13631 of 2022

BP(CO)
RGA(07/07/2022)