



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2022

CORAM :

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

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.NO.15846 OF 2022

1. V.Jayshree

2. Minor.Sanjay
Rep. through mother,
V.Jayshree

... Petitioners

.Vs.

1. The Authorized Officer,
Canara Bank,
Anna Nagar East Branch,
Plot No: A-12 & A-13,
Anna Nagar East (2nd Avenue),
Chennai - 600 102.

2. The Registrar
Debts Recovery Tribunal - I,
Shastri Bhavan, Subba Road Avenue,
Nungambakkam, Chennai,
Tamil Nadu - 600 008.

... Respondents

PRAYER:-

Petition filed under Article 226 of the Constitution of India praying for a writ of certiorari to call for the records pertaining to the impugned interim order dated 14.06.2022 passed in I.A.No.693/2002 in S.A.No.234/2022 by the Debts Recovery Tribunal - I, Chennai and quash the same in so far as imposing the conditional deposit of 10% by the petitioners.

For Petitioners : Mr.M.Sriram



ORDER

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

WEB COPY
This writ petition has been filed to assail the order dated 14.06.2022 passed by the Debts Recovery Tribunal-I, Chennai in I.A.No.693 of 2022 in S.A.No.234 of 2022 and an appeal against the said order lies before the Debt Recovery Appellate Tribunal. No exceptional ground has been made out by the petitioners for not availing the statutory remedy of appeal before the Debt Recovery Appellate Tribunal so as to maintain the present writ petition.

2. Accordingly, finding this writ petition would not be maintainable in the light of availability of an efficacious remedy of appeal, the same is dismissed. However, liberty is given to the petitioners to avail the remedy of appeal before the Debt Recovery Appellate Tribunal, if they so desire. There will be no order as to costs. Consequently, W.M.P.Nos. 15146 and 15141 of 2022 are closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

bbr

To

1. The Authorized Officer,
Canara Bank,
Anna Nagar East Branch,
Plot No: A-12 & A-13,
Anna Nagar East (2nd Avenue),
Chennai - 600 102.
2. The Registrar
Debts Recovery Tribunal - I,
Shastri Bhavan, Subba Road Avenue,
Nungambakkam, Chennai,
Tamil Nadu - 600 008.

+1cc to Mr.M.Sriram, Advocate, S.R.No.39491
+1cc to the Government Pleader, S.R.No.39294

W.P.NO.15846 OF 2022

JPL(CO)
PBS/30/06/2022