



W.P.No.31410 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.31410/2022 and WMP.Nos.30840 and 30845/2022

M/s.Araa Leathers
represented by its Partner S.Sundaram,
New No.20, (Old No.45),
Thiruvengadam Street,
Periamedu, Chennai-600 002.

.. Petitioner

vs.

1. The Authorized Officer,
Indian Overseas Bank,
Asset Recovery Branch,
Ground Floor, Central Office Building,
Anna Salai, Chennai-600 002.
2. Indian Overseas Bank,
T.Nagar Branch,
104, Thyagaraya Road,
T.Nagar, Chennai-600 017.
3. The Registrar,
Debts Recovery Tribunal-III, Chennai,



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praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of impugned order dated 09.11.2022 passed in S.I.A.Nos.1315/2022 and 1316/2022 in S.A.No.453/2022 on the file of the 3rd respondent and quash the same being contrary to the Constitutional guarantee, illegal against the principles of natural justice.

For Petitioner :: Mr.Om Prakash,
Senior Counsel
for Mr.G.Mohammed Aseef

For Respondents :: ...

ORDER

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

The matter was listed today under the caption, 'for admission'.

2. Challenging the impugned order dated 09.11.2022 passed in S.I.A.Nos.1315/2022 and 1316/2022 in S.A.No.453/2022 by the 3rd respondent and for quashing of the same as the same being contrary to the Constitutional guarantee and illegal against the principles of natural justice,



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the present Writ Petition has been filed.

3. On the face of the records, it appears that against the order passed by the 3rd respondent, namely, the Registrar, Debts Recovery Tribunal-III, Chennai, an alternative, efficacious and statutory remedy is available before the Debts Recovery Tribunal. Therefore, we are not inclined to entertain the present Writ Petition.

4. In the result, the Writ Petition fails and the same is accordingly dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed. Needless to mention that the petitioner is entitled to raise all the contentions raised in this Writ Petition before the Appellate Forum.

(T.R.,A.C.J.) (D.K.K, J.)

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Index : Yes/No
tsi



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THE HON'BLE ACTING CHIEF JUSTICE

AND

D.KRISHNAKUMAR, J.,

tsi

To

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