



W.P. No.33299 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2022

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No.33299 of 2022

Deepak Kumar Bhatia

... Petitioner

Vs

1.The Presiding Officer

DRT-II Chennai 6th Floor

Additional Office Building Shastri Bhavan

Haddows Road Nungambakkam

Chennai - 600006.

2.Indian Overseas Bank

Represented by its Authorised Officer

Esplanade Branch 6 Chennai House

Esplanade Chennai - 600108.

3.M/s.DRA Industries Ltd

No. 106 3rd Floor Door No. 423 and 424

Ten Square Mall, Inner Ring Road,

Jawaharlal Nehru Salai

Koyambedu Chennai - 600 107.

... Respondents



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Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the 1st respondent/DRT -II Chennai Bench to take the Securitisation Application Challenging the Possession Notice under Section 13(4) of the Act dated 08.02.2022 on the file of the 2nd respondent with respect to the property of the Petitioner situated at Flat No.A-1, Samarpan Apartments, Landons Road, Chennai - 600 010 by condoning the delay of 188 days in filing the section 17(1) application.

For Petitioner : Mr.K.Jayasudha

*For Respondents : Mr.V.Kadhirvelu,
for the second respondent*

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition seeking for a Writ of Mandamus directing the first respondent to take the Securitisation Application challenging the possession notice issued under Section 13(4) of the Act, dated 08.02.2022, on the file of the 2nd respondent, with respect to the property of the petitioner situated at Flat No.A-1, Samarpan Apartments, Landons Road, Chennai, by condoning the delay of 188 days in filing the section 17(1) application.



W.P. No.33299 of 2022

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2. The prayer sought for in the writ petition is untenable. When the petitioner has got an effective alternate statutory appeal before the Debt Recovery Appellate Tribunal, approaching this Court directly is unacceptable. This writ petition is therefore dismissed. No costs. The petitioner is at liberty to workout his remedy in the manner known to law.

(T.R., ACJ.) (D.B.C., J.)
12.12.2022

Index: Yes/No
tar

To

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W.P. No.33299 of 2022

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