



WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 07.01.2022**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN**

**and**

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

**W.P.(MD) No.278 of 2022**

**and**

**W.M.P.(MD) Nos.212 & 213 of 2022**

P.Hema

... Petitioner

-vs-

The Manager

UCO Bank

Karaikudi Branch

T.S.No.112/39, Kallaukkatti North

Karaikudi, Sivagangai District-630 001

... Respondent

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the impugned conditional order of a sum of Rs.4,00,000/-, dated 03.12.2021, passed by the Debt Recovery Tribunal, Madurai, in I.A.No.1955 of 2021 in S.A.No.560 of 2021 and quash the same and consequentially, direct the Debt Recovery Tribunal, Madurai, to consider the deposit of Rs.5,02,000/- made as per the order passed in I.A.No.939 of 2020 in S.A.No.217 of 2020 and proceed with the enquiry in S.A.No.560 of 2021.

For Petitioner : Ms.Porkodi Karnan

for M/s.Polax Legal Solutions

### **O R D E R**

**[Order of the Court was made by DR.G.JAYACHANDRAN, J.]**

This writ petition is filed challenging the conditional order dated 03.12.2021, in I.A.No.1955 of 2021 in S.A.No.560 of 2021, passed by the Debts Recovery Tribunal, Madurai.

2. The petitioner, who is a borrower, has become defaulter and her property has been declared as NPA (Non-Performing Asset) under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and the the respondent - Bank, who has given loan, is taking steps to recover the loan



3. Since the Debts Recovery Tribunal is the competent Authority to decide the subject matter and has applied its mind and passed interim conditional order, this Court does not find any illegality or infirmity in the condition imposed by the Tribunal and hence, the writ petition is liable to be dismissed.

4. Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

krk

**Note :** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO:

The Debt Recovery Tribunal, Madurai.

**W.P. (MD) No.278 of 2022 and**  
**W.M.P. (MD) Nos.212 & 213 of 2022**  
**07.01.2022**

RK(24.01.2022) 2P 2C