



W.P.(MD) No.22944 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.22944 of 2022

and

W.M.P.(MD)No.17046 of 2022

S.Sudhagar Selvaraj

... Petitioner

-Vs-

- 1.The Debts Recovery Tribunal,
IV Floor, Kalyani Tower,
Melur Road,
Madurai.
- 2.A.S.Jagadiis
- 3.J.Kavitha
- 4.The Authorised Officer,
DBS Bank, Regional Office,
2nd Floor, Registered Office Building,
Salem Main Road, Kathapara, Karur.

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5.The Branch Manager,
Thillai Nagar Branch,
No.C-97, Fort Station Road,
5th Cross (West), Thillai Nagar,
Trichy, Trichy District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to pass final order in pending S.A.No.322 of 2019 within the time frame fixed by this Court.

For Petitioner	: Ms.AL.Gandhimathi
For R1	: Mr.G.V.Vairam Santhosh Additional Government Pleader
For R4 & R5	: Mr.S.I.Muthiah

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed, seeking for a direction to the 1st respondent to pass final order in the pending S.A.No.322 of 2019 before the Debts Recovery Tribunal, Madurai.

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2.Mr.G.V.Vairam Santhosh, learned Additional Government Pleader takes notice for the 1st respondent and Mr.S.I.Muthiah, learned counsel takes notice for the respondents 4 and 5. Considering the nature of the order proposed to be passed, notice to the respondents 2 and 3 is dispensed with.

3.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4.The case of the petitioner is that the 4th respondent conducted an auction on 25.03.2019, where the petitioner was declared as a successful bidder and a sale certificate was also issued in his favour. Thereafter, the respondents 2 and 3 filed an application in S.A.No.322 of 2019, challenging the sale certificate issued in favour of the petitioner, before the 1st respondent / Debts Recovery Tribunal, Madurai. The grievance of the petitioner is that though in S.A.No.322 of 2019 the arguments on either side were heard, no order has been passed so far. Hence, this Writ Petition.



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5.Today, when the matter was taken up for hearing, the learned Additional Government Pleader, who takes notice for the 1st respondent, submitted that S.A.No.322 of 2019 is reserved for judgment. He further submitted that since the 1st respondent Forum is functioning once in a week, sufficient time be fixed for disposal of the said S.A.No.322 of 2019.

6.Recording the above submission and considering the factual matrix, the 1st respondent is directed to pass orders in S.A.No.322 of 2019, within a period of three months from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

[R.M.D., J.] & [J.S.N.P., J.]

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Index : Yes / No

Internet : Yes / No

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To:

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IV Floor, Kalyani Tower,
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