



C.R.P.(MD) No.2257 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

C.R.P.(MD) No.2257 of 2022

The Authorized Officer,
Tamiland Mercantile Bank Ltd.,
Rajapalayam Branch,
Aishwarya Complex,
No.391, Tenkasi Road,
Rajapalayam

... Petitioner

Vs.

1.S.Thangaprabhu
2.Mr.V.P.M.Sankaranarayanan

... Respondents

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India, praying to direct the DRT, Maudrai to dispose the S.A.No.357 of 2021 as expeditiously as possible within a time frame fixed by this Court.

For Petitioner : Mr.ARM.Ramesh
For Respondents : Mr.Veerapandian



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ORDER

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

This Civil Revision Petition is filed to direct the Debts Recovery Tribunal, Madurai to dispose of the S.A.No.357 of 2021, within a time frame.

2. It is the case of the petitioner that the respondents herein filed S.A.No. 357 of 2021, before the Debts Recovery Tribunal, Madurai, challenging the possession notice dated 16.06.2021 and Auction Sale notice dated 03.08.2021, along with the stay application in I.A.No.1359 of 2021. In the aforesaid application, on 07.09.2021, the Debts Recovery Tribunal, Madurai, has granted interim stay on terms. As against the said order, the respondents filed an appeal before the Debts Recovery Appellate Tribunal, Chennai. On 16.08.2022, though the DRAT, Chennai granted *status quo* orders, it declined to direct the Presiding Officer, Coimbatore, who is holding additional charge of DRT, Madurai, to dispose of the S.A.No.357 of 2021, within a time frame. In spite of repeated requests by the petitioner bank, till date, S.A.No.357 of 2021 is not disposed of



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by the DRT, Madurai and because of the pendency of S.A.No.357 of 2021, the respondents are enjoying the benefits of stay granted by the Tribunal. Hence, the petitioner has filed this Civil Revision Petition.

3. Heard the learned counsel appearing for the parties and perused the materials available on record.

4. Considering the submissions made by the learned counsel for the petitioner and the facts and circumstances of the case, the Debts Recovery Tribunal, Madurai is directed to dispose of S.A.No.357 of 2021, filed by the respondents, as expeditiously as possible, preferably, within a period of six (6) months from the date of receipt of a copy of this order.

5. With the above direction, this Civil Revision Petition is disposed of.
No costs.

vsm

[R.M.D., J.] [J.S.N.P., J.]
02.12.2022



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R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

vsm

To

The Debts Recovery Tribunal,
Madurai.

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