



W.P.(MD) No.25669 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

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1.The Authorized Officer,
State Bank of India,
SME Branch, Sivakasi,
No.11, Sudar Complex,
Velayutham Road, Sivakasi,
Virudhunagar District – 626 123.

2.Assistant General Manager,
The State Bank of India,
SME Branch, Sivakasi,
No.11, Sudar Complex,
Velayutham Road, Sivakasi,
Virudhunagar District – 626 123.

... Petitioners

-Vs-

M.Rubesh Jebakumar

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the learned incharge Debts Recovery Tribunal

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Madurai / Learned Debts Recovery Tribunal, Coimbatore to dispose S.A.No.271 of 2014 on the file of Learned Debts Recovery Tribunal, Madurai, by recording the Petitioner Bank withdrawal Memo S.R.No. 4321 of 2022 dated 25.07.2022, within a time frame to be determined by this Honble Court.

For Petitioners : Mr.N.Dilip Kumar

For Respondent : Mr.C.Meenakshi Rama Prabu

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This writ petition has been filed praying for issuance of a Writ of Mandamus, directing the learned incharge Debts Recovery Tribunal Madurai / Learned Debts Recovery Tribunal, Coimbatore to dispose of S.A.No.271 of 2014 on the file of Learned Debts Recovery Tribunal, Madurai, by recording the Petitioner Bank withdrawal Memo S.R.No. 4321 of 2022 dated 25.07.2022, within a time frame.



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2. It is the case of the petitioner that the respondent herein filed S.A.No.271 of 2014, before the Debts Recovery Tribunal, Madurai, challenging the possession notice issued by the petitioners bank. The conditional order passed by the learned Debts Recovery Tribunal, Madurai has been complied with and the possession of machineries was handed over back to the respondent. Thereafter, the said S.A.No.271 of 2014 is not listed for hearing. In spite of repeated requests by the petitioners bank, till date, S.A.No.271 of 2014 is not disposed of by the DRT, Madurai. Hence, the petitioners have filed this Writ Petition.

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

4. Considering the fact that S.A.No.271 of 2014 is pending from the year 2014, we direct either the learned Debts Recovery Tribunal, Madurai or the learned Debt Recovery Tribunal, Coimbatore, to dispose of S.A.No.271 of 2014,

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filed by the respondent, as expeditiously as possible, preferably, within a period of three (3) months from the date of receipt of a copy of this order.

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

[D.K.K., J.] & [R.V., J.]

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Index : Yes / No

Internet : Yes / No

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