



W.P. No. 8495 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. No. 8495 of 2023

and

W.M.P. No. 8688 of 2023

M/s. Proscans Diagnostics Pvt Ltd
Represented by its Managing Director
Mr. Arvind K
No.339/340, Anna Salai
Chennai – 600 035.

.. Petitioner

-VS-

Standard Chartered Bank
Represented by its Authorized Officer
Mr. Jithesh Peethambaram
Having office at
No.19, Rajaji Salai
Chennai – 600 001.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, granting extension of time for complying with the conditional order dated 25.08.2022 in IA No. 1530 of 2022 in SA No. 438 of 2022 and consequently forbearing the respondent from taking physical possession of the secured assets pursuant to the order dated 21.07.2022 in CrI. M.P. No. 10984 of 2022 on the file of Learned Chief Metropolitan Magistrate, Egmore, pending disposal of the transferred case on the file of Debt Recovery Tribunal – III, Chennai.



W.P. No. 8495 of 2023

For the Petitioner : Mr. L.Thiyagaiya
For the Respondent : Mr. B.Krishnan
for M/s. Corpla Legal Services

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

We have heard Mr.L.Thiyagaiya, learned counsel for the petitioner and Mr.B.Krishnan, learned counsel for the respondent.

2. Learned counsel for the petitioner submits that the petitioner had approached this Court in view of the fact that the Debts Recovery Tribunal-II (DRT-II) where the proceedings were initially filed, could not hear the matters, as the matters were transferred to Debts Recovery Tribunal-III (DRT-III) and during the interregnum period, the DRT-III was also not in a position to take up the matter. This Court granted status quo. The petitioner has complied with the conditions imposed by the DRT while passing the prohibitory order in favour of the petitioner, though belatedly.



W.P. No. 8495 of 2023

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3. The learned counsel for the bank submits that the matter now before the DRT-III is fixed on 20.06.2023.

4. As now the matter is already subjudice before the DRT-III, it would be appropriate for the parties to seek further orders from DRT-III where the matter is pending. Till 20.06.2023, the position as on today be maintained.

With the aforesaid observation, the writ petition is disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(P.D.A., J.)

07.06.2023

Index : yes/no
Neutral Citation : Yes/No
sra

To:

The Authorized Officer
Standard Chartered Bank
No.19, Rajaji Salai, Chennai – 600 001.

Page 3 of 4



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W.P. No. 8495 of 2023

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(sra)

W.P. No. 8495 of 2023

07.06.2023