



W.P.No.15244 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2023

CORAM :

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

AND

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

W.P.No.15244 of 2023

1.M/s.Solar Designs Private Limited,
Through its Authorised Signatory Apathsakayam AAK,
Having its Office at No.6602,
Parsn Manere, 1A Wing,
3rd Floor, Anna Salai,
Chennai-600 006.

2.M/s.Pewturman Decor Private Limited,
Through its Authorised Signatory C.Sumathi,
Having Office at
No.602, Parsn Manere, 1A Wing,
3rd Floor, Anna Salai,
Chennai-600 006.

3.Apathsakayam AAK

4.Sumathi

Petitioners

..

Vs

1.The Presiding Officer,
Debt Recovery Tribunal III,
Shastri Bhavan,



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Chennai.

2.M/s.India Resurgence ARC Private Limited,
rep. by its Authorised Officer,
3rd Floor, Unit 304, Piramal Tower,
Peninsula Corporate Park,
Lower Parel, Mumbai-400 013.

3.Religare Finvest Limited,
Branch Office at 'BASCON IT Park',
12th Floor, New No.10/2, Old No.56L VN Road,
T.Nagar, Chennai-17.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus to call for the records pertaining to S.I.A.No.547 of 2023 in S.A.No.222 of 2023 on the file of the Debts Recovery Tribunal-III, Chennai and quash the order dated 24.04.2023 and consequently direct the Debts Recovery Tribunal-III Chennai to hear and dispose of the S.I.A.No.547 of 2023 in S.A.No.222 of 2023 after providing an opportunity of hearing.

For the Petitioners : Mr.Niranjan Rajagopalan

For the Respondents : Ms.M.Nagalakshmi
for respondent No.2

R1- Tribunal

R3 – Not Ready in Notice



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ORDER

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

We have heard Mr.Niranjan Rajagopalan, learned counsel for the petitioners and Ms.M.Nagalakshmi, learned counsel for the second respondent.

2. It is submitted by learned counsel for the second respondent that the matter is settled between the parties and the entire amount has been paid.

3. Learned counsel for the petitioners submits that procedural lapses exist. The matter is not listed unless 20% deposit is made or undertaking is given to deposit 20% of the amount.

4. As the matter is settled between the parties, the grievance raised herein with regard to the procedural lapses would be considered in an appropriate matter.



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5. With these observations, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.14743 and 14744 of 2023 are closed. Since the petitioners have paid separate sets of court fee, W.M.P.No.14742 of 2023 is allowed and disposed of.

(S.V.G., CJ.)

(P.D.A., J.)

03.08.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

The Presiding Officer,
Debt Recovery Tribunal III,
Shastri Bhavan,
Chennai.



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

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