



W.P.No.20390 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2023

CORAM :

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

AND

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

W.P.No.20390 of 2023

R.Thilagavathi

.. Petitioner

Vs.

1. The Authorised Officer  
No.206, Pumping Station Road  
Housing Development and Finance Corporation Limited  
K.K.Nagar, Madurai 625 020.
2. The Authorised Officer  
(Housing Development and Finance Corporation Limited)  
HDFC House, No.29, Kamaraj Road  
Coimbatore 641 018.
3. HDFC Limited  
Registered Office  
Ramon House, H.T.Parekh Marg  
No.169, Back Bay Reclamation  
Church Gate  
Mumbai 400 020.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorari calling for records of the Presiding Officer,



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Debts Recovery Tribunal at Coimbatore, order dated 15.06.2023 in Case No.SA.371 of 2023 and quash the same.

For the Petitioner : Mr.C.K.Chandrasekar  
Legal Aid Counsel

ORDER  
(Made by the Hon'ble Chief Justice)

We have heard Mr.C.K.Chandrasekar, learned counsel for the petitioner appointed through Legal Aid.

2. Learned counsel for the petitioner submits that in fact, the declaration of NPA was during the Covid-19 pandemic and the same was illegal. The Debts Recovery Tribunal, without going into the merits of the matter, directed the petitioner to deposit Rs.20.00 lakh (Rupees twenty lakh only) per month for two months, totalling to Rs.40.00 lakh (Rupees forty lakh only) and the same is erroneous.

3. It would appear that the amount outstanding is more than Rs.75.00 lakh (Rupees seventy five lakh only). The petitioner has not deposited the amount as directed by the Debts Recovery Tribunal. We



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have asked learned counsel for the petitioner whether the petitioner has, at least today, deposited some amount. The answer is in the negative.

4. The matter is before the Debts Recovery Tribunal. The petitioner has approached this Court against the interim order. It is trite that even if the petitioner does not comply with the interim order, the Securitisation Application can be argued on its own merits. It is for the petitioner either to comply with the order or to argue the application on merits.

5. The writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.19752 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No  
Neutral Citation : Yes/No

kpl



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

(kpl)

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