



W.P.No.28753 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.28753 of 2023

SLT Modern Rice Mill
Rep. by its Proprietrix S.Sasikala
No.91/2, Manapet Village
Kattukuppam
Pondicherry – 607 402.

.. Petitioner

Vs.

1. The Presiding Officer
Debts Recovery Tribunal 3
Chennai.

2. The Registrar
Debts Recovery Tribunal 3
Chennai.

3. The Authorised Officer
Karur Vysya Bank
No.1, Padmavathiyar Road
2nd Florr, (Off Peters Road)
Gopalapuram, Chennai – 600 086.

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus, calling for the records of the first respondent in connection with the impugned order dated 28.04.2023 and quash the same and direct the registry to number the above said SA diary No.433 of 2023 filed by the petitioner and list the matter for hearing.

For the Petitioner : Mr.M.D.Thirunavukkarasu

ORDER
(Made by the Hon'ble Chief Justice)

Heard Mr.M.D.Thirunavkkarasu, learned counsel for the petitioner.

2. The Securitisation Application filed by the petitioner has been returned by the Assistant Registrar on the ground of limitation on 28.04.2023. It is submitted by learned counsel for the petitioner that the petitioner had asked the Registry to place the matter before the Presiding Officer, Debts Recovery Tribunal – III, Chennai. The Registry also passed an order to place it before the Presiding Officer to consider the aspect of maintainability on 10.04.2023. But, instead of placing it



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before the Presiding Officer, the Assistant Registrar returned it back.

3. It would be appropriate if the Presiding Officer considers the issue of limitation/maintainability qua the stand of the petitioner.

4. In the light of that, we direct the concerned Registry to place the S.A. Diary No.433 of 2023 before the learned Presiding Officer, Debts Recovery Tribunal – III, Chennai. Learned Presiding Officer shall consider the stand of the petitioner and take a decision with regard to limitation/maintainability, on its own merits and in accordance with law.

5. With these observations, the writ petition stands disposed of. There will be no order as to costs. Consequently W.M.P.Nos.28329 and 28332 of 2023 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

04.10.2023

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

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THE HON'BLE CHIEF JUSTICE
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(drm)

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