



W.P.No.26157 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.26157 of 2023

S.Arputham

.. Petitioner

Vs.

The Registrar
Debts Recovery Tribunal III
Shastri Bhavan
Subba Road Avenue
Nungambakkam
Chennai 600 008.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorarified Mandamus to call for the records of the respondent in S.A. Dairy No.4021/2023 order dated 16.08.2023 and quash the same and to direct the respondent to number the appeal within time as stipulated by this Hon'ble High Court.

For the Petitioner : Mr.C.Iyyapparaj



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ORDER
(Made by the Hon'ble Chief Justice)

Heard Mr.C.Iyyapparaj, learned counsel for the petitioner.

2. The writ petition is filed de hors the provision of law and even without adding necessary parties. The petition is filed in most casual manner, without basic fundamentals.

3. The petitioner filed the writ petition against the return of the S.A. by the Debts Recovery Tribunal on the ground that it is barred by limitation. In the writ petition, the bank ought to have been made a party and instead, the Tribunal is made a party. The Tribunal cannot be a party.

4. Learned counsel for the petitioner seeks leave to withdraw the writ petition, with liberty to file a fresh writ petition.

5. In view of the above, the writ petition is dismissed as



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withdrawn, with liberty aforesaid. Consequently, W.M.P.Nos.25555 and 25557 of 2023 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

12.10.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

The Registrar
Debts Recovery Tribunal III
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Chennai 600 008.



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J

(kpl)

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