



C.R.P.No.4444 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

C.R.P.No.4444 of 2023

State Bank of India
Rep. by Chief Manager
RACPC Tambaram
No.388, Velachery Main Road
Satheesh Paradise, 1st Floor
Selaiyur, Chennai – 600 074.

.. Petitioner

Vs.

K.Baranidharan

.. Respondent

Prayer: Petition filed under Article 227 of the Constitution of India seeking directions to the Debts Recovery Tribunal – 3, Chennai to number the MA Diary No.6493 of 2023 in O.A.SR.No.8613 of 2022.

For the Petitioner : Mr.S.Rajesh



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ORDER
(Made by the Hon'ble Chief Justice)

Heard Mr.S.Rajesh, learned counsel appearing for the petitioner.

2. Learned counsel for the petitioner submits that the petitioner filed an application under Section 19(1) of the Recovery of Debts and Bankruptcy Act, 1993. The Registrar rejected the application on the ground that it is barred by limitation.

3. The Registrar will not have the power to decide the issue of limitation. It is only the Presiding Officer who can pass orders with regard to limitation.

4. According to learned counsel for the petitioner, the impugned order is passed by the Registrar. In the light of that, the impugned order is set aside. The Registrar shall place the matter before the Presiding Officer of the Debts Recovery Tribunal. The petitioner may make his submissions before the Presiding Officer *qua* the period of limitation.



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5. With these observations, the civil revision petition stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No

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

(kpl)

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