



WEB COPY



W.P.No.30962 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE **D.BHARATHA CHAKRAVARTHY**
AND
THE HONOURABLE MR.JUSTICE **V. LAKSHMINARAYANAN**

W.P.No.30962 of 2023
and
W.M.P.Nos. 30586 & 30588 of 2023

R.Duraisamy

.. Petitioner

VS

1.Indian Overseas Bank
Dhayanur Branch,
Seeliyur Post,
Karamadal Post,
Coimbatore – 641 113.

2.The Registrar
The Debts Recovery Tribunal,
Jawns Bhavan 2nd and 3rd Floor,
27, T.B.Road,
Coimbatore – 641 018.

3.Subathra Devi

4.The Recovery Officer,
The Debt Recovery Tribunal,
Jawns Bhavan, 2nd and 3rd Floor,
27, T.B.Road,
Coimbatore – 641 018.

.. Respondents

Petition filed under Article 226 of the Constitution of India
praying to issue a writ of certiorarified mandamus calling for the
records in Appeal No.4 of 2017 order dated 31.03.2023 on the file



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of the 2nd respondent, quash the same as illegal and consequently direct the Hon'ble Debt Recovery Tribunal, Coimbatore to dispose the case on its merits and consequently restrain the respondents from taking coercive steps against the schedule property until further orders from Court.

For Petitioner : Mr.S.Rajesh

ORDER

(Order of the Court was made by V. LAKSHMINARAYANAN.,J)

The petitioner challenges order of Debts Recovery Tribunal in Appeal No.4 of 2017 dated 31.03.2023.

2. As against the order passed by the Debts Recovery Tribunal, an appeal lies to the Debts Recovery Appellate Tribunal. Therefore, we are not inclined to entertain this writ petition.

3. Learned counsel for the petitioner apprehends dispossession at the hands of the respondent / bank. Therefore, status quo shall be maintained for a period of one week granting liberty to the petitioner to move Debts Recovery Appellate Tribunal.



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4. With the above observation, this writ petition stands disposed of. No costs. Connected miscellaneous petitions are closed.

(D.B.C.,J) (V.L.N.,J)
26.10.2023

Index:Yes/No
Neutral Citation:Yes/No
mmi/ssm

To

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Karamadal Post,
Coimbatore – 641 113.
- 2.The Registrar
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