



W.P.No.29968 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.29968 of 2023

1. S.Jayaprakash
2. Jayanthi

3. M/s.Rathna Tex
Rep. by Proprietor S.Jayaprakash
Old No.21, New No.37
Mariamman Kovil 5th Street
Sanjivarayanpetti, Dadagapatti
Salem – 636 006.

.. Petitioners

Vs.

1. Authorized Officer
M/s. Chola mandalam Investment
and Finance Company Ltd.
Dare House, No.2, NSC Bose Road, Parrys
Chennai – 600 001.

2. The Registrar
Debt Recovery Appellate Tribunal
Chennai.

.. 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 proceedings of the second respondent dated 17.08.2023 passed in AIR (SA) 430/2023, on the file of the second respondent, quash the same and consequently direct the second respondent to consider our appeal in AIR (SA) No.430/2023 and dispose it on merits.

For the Petitioners : Mr.S.N.Subramani

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.S.N.Subramani, learned counsel for the petitioners.

2. The petitioners are challenging the order passed by the Registrar of the Debt Recovery Appellate Tribunal, Chennai.

3. Under the said order, the matter was listed before the Registrar for "removal of defects/compliance of returns" on 20.07.2023. As objections, including the uploading of documents were not complied with, the same was rejected.



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4. In case the petitioners have all the necessary documents, the petitioners may file an application with the Debt Recovery Appellate Tribunal, Chennai for revival/restoration of the appeal, as may be permissible under law. The said application would be considered and decided by the Debt Recovery Appellate Tribunal, Chennai in accordance with law.

5. In the light of that, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.29587 & 29590 of 2023 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

17.10.2023

Index : Yes/No
Neutral Citation : Yes/No

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To

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Debt Recovery Appellate Tribunal
Chennai.

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THE HON'BLE CHIEF JUSTICE
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(drm)

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