



WEB COPY



W.P.No.31027 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.31027 of 2023
and
W.M.P.Nos. 30679 & 30680 of 2023

1.N.Jahangir
2.A.M.Iqbal

.. Petitioners

VS

- 1.The Registrar
Debts Recovery Appellate Tribunal
7th Floor, Additional Official Building
Shastri Bhavan,
Haddows Road, Chennai – 600 006.
- 2.Central Bank of India
A financial institution regulated under
the Banking Regulations Act, 1949
Rep. By its Branch Manager,
having office at TC 28/885-5,
CSI Building, MG Road,
Thiruvananthapuram (Kerala).
- 3.M/s.Nest Foods & Beverages Limited
A Company registered under the provisions
of the Companies Act, 1956,
Rep. By its Liquidator
having office at Corporate Office, Plot No.2,
CEPZ, Kakkanad P.O., Cochin 682030.
- 4.P.N.Balaram
Director, Nest Foods and Beverages Limited,
Nirmalyan, Green Park,
Perinkava, Tiruchur, Kerala State.



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5.The Kerala State Industrial Development Corporation Limited,
Kowdiar, Thiruvananthapuram – 695 003
Rep. Herein by its Managing Director

6.The Kerala Financial Corporation,
Vellayambalam, Thiruvananthapuram
Rep. Herein by its Managing Director

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus calling for the records pertaining to the Order dated 22.05.2023 passed by the First respondent in refusing to register AIR No.18 of 2023 filed by the petitioners and quash the same and consequently direct the first respondent to register AIR No.18 of 2023 filed by the petitioners and place it before the Hon'ble Debts Recovery Appellate Tribunal, Chennai.

For Petitioner : Mr.P.S.Raman
Senior Advocate
for Mr.G.Vivekanand

ORDER

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

This writ petition challenges the order passed by the Registrar, Debts Recovery Appellate Tribunal, Chennai dated 22.05.2023.

2. From the typed-set of papers, it is clear that a Chamber Appeal has been moved as per Rule 6(5) of the Debts Recovery



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Appellate Tribunal (Procedure) Rules, 1994 and the appeal is stated to be pending. When the Chamber Appeal is pending, we are not inclined to entertain this writ petition. Suffice it to direct the Debts Recovery Appellate Tribunal to take up the appeal presented on 26.05.2023 and dispose of the same within a period of four weeks. The petitioners are permitted to move for an interim order before the Debts Recovery Appellate Tribunal, within a period of one week from today. There shall be stay of the proceedings in DRC No. 43 of 2023 for a period of one week to enable the petitioner to move the Debts Recovery Appellate Tribunal for any interim order.

3. With the above direction, the 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

1.The Registrar
Debts Recovery Appellate Tribunal
7th Floor, Additional Official Building
Shastri Bhavan,
Haddows Road, Chennai – 600 006.



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2.The Branch Manager,
Central Bank of India

A financial institution regulated under
the Banking Regulations Act, 1949
having office at TC 28/885-5,
CSI Building, MG Road,
Thiruvananthapuram (Kerala).

3.The Managing Director,
Kerala State Industrial Development
Corporation Limited,
Kowdiar, Thiruvananthapuram – 695 003.

4.The Managing Director,
The Kerala Financial Corporation,
Vellayambalam, Thiruvananthapuram.



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AND
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