



W.P.No.31866 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.31866 of 2023

D.Murugesan

.. Petitioner

Vs.

1. Indian Overseas Bank  
Thanjavur Main Branch  
Rep. by its Chief Manager/Authorized Officer  
T.S.No.1604, South Main Road  
Thanjavur – 613 009.

2. Saroja

3. Vinod

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus, calling for the records of the impugned order dated 08.08.2023 in TSA.No.141 of 2022 by the Debts Recovery Tribunal – II, Chennai and quash the same and consequently direct the first respondent to regularize the housing loan account of the petitioner.

For the Petitioner

: Mr.P.Edin Brough



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ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.P.Edin Brough, learned counsel for the petitioner.

2. The petitioner is assailing the order passed by the Debts Recovery Tribunal – II, Chennai.

3. Substantive appeal is provided before the Debt Recovery Appellate Tribunal against the order of the Debts Recovery Tribunal. The petitioner may avail the said remedy, as may be permissible under law. In that regard, all contentions are kept open.

4. It is for the petitioner to make necessary submissions with regard to the availability of the benefit under Section 14 of the Limitation Act, 1963 or otherwise.



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5. Accordingly, the writ petition stands disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.31464 and 31465 of 2023 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

07.11.2023

Index : Yes/No  
Neutral Citation : Yes/No

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

(drm)

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