



WEB COPY



W.P.No.34837 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2023

CORAM :

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ**

W.P.No.34837 of 2019
and
WMP.Nos.35596, 35597 of 2019 and 783 of 2020

M/s. Premier Distilleries (P) Ltd.,
Registered Office at No.377, First Floor,
Anna Salai, Pondicherry - 605 001,
by its Managing Director,
M.Sekar Kumaraswamy.
Petitioner

..

Versus

1. The Registrar,
Debt Recovery Tribunal - I,
Spencer Tower, 770-A, 6th floor,
Anna Salai, Chennai 600 002.
2. The Chief General Manager,
State Bank of India,
Stressed Assets Resolution,
Group Corporate Centre,
21st Floor, Maker Tower 'E',
Cuffee Parade, Mumbai - 400 005.
3. Deputy General Manager,
State Bank of India,
Stressed Assets Management Branch,
Red Cross Building, No.32, Red Cross Road,
Egmore, Chennai-600 008.



W.P.No.34837 of 2019

WEB COPY

4. Indian Bank,
100 Feet Road Branch,
No.66/4A-East Coast Road,
Pakkammudaiyanpet, Puducherry.
Respondents

..

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the third respondent dated 07.12.2019 in SAmB/CIO-11/1367 and to quash the same and to further direct the second respondent authority to give a personal hearing to the petitioner of its representation dated 01.12.2019.

For Petitioner : Mr.SR.Mounaswaminathan
For R2 & R3 : Mr.C.Mohan for M/s King & Partridge
For R4 : M/s.S.R.Sumathy

ORDER

[Order of the Court was made by R. MAHADEVAN, J.]

This writ petition has been filed by the petitioner to quash the order dated 07.12.2019 passed by the third respondent and also direct the second respondent to consider the petitioner's representation dated 01.12.2019 with regard to providing an opportunity of personal hearing to them.

2. Today, when the matter was taken up for consideration, the learned counsel for the petitioner fairly submitted that during the pendency of this writ petition, the petitioner has filed another writ petition in WP.No.16888 of 2020



W.P.No.34837 of 2019

relating to One Time Settlement Scheme and the same was already considered and decided by this Court by order dated 24.11.2020, the relevant passage of which, is usefully extracted hereunder:

“5. Be that as it may, this Court without going into the merits of the rival claims as projected either in their representations or in this Writ Petition, directs the respondent to respond to the representation and reminder representation of the petitioner dated 23.10.2020 and 07.11.2020, in accordance with law and send their responses within a period of twelve weeks from the date of receipt of a copy of this order and communicate the same, to the petitioner. ”

Stating so, the learned counsel submitted that nothing survives for further adjudication herein.

3. In view of the above submission made by the learned counsel for the petitioner, this writ petition stands disposed of, directing the petitioner to approach the authority concerned, in the light of the order dated 24.11.2020 in WP.No.16888 of 2020, as referred to above. No costs. Consequently, connected miscellaneous petitions are closed.

[R.M.D., J.] [M.S.Q., J.]
09.02.2023

Index : Yes / No
Internet : Yes / No
av



WEB COPY



W.P.No.34837 of 2019

R. MAHADEVAN, J
and
MOHAMMED SHAFFIQ, J

av

To

1. The Registrar,
Debt Recovery Tribunal - I,
Spencer Tower, 770-A, 6th floor,
Anna Salai, Chennai 600 002.
2. The Chief General Manager,
State Bank of India,
Stressed Assets Resolution,
Group Corporate Centre,
21st Floor, Maker Tower 'E',
Cuffee Parade, Mumbai - 400 005.
3. Deputy General Manager,
State Bank of India,
Stressed Assets Management Branch,
Red Cross Building, No.32, Red Cross Road,
Egmore, Chennai-600 008.
4. Indian Bank,
100 Feet Road Branch,
No.66/4A-East Coast Road,
Pakkammudaiyanpet, Puducherry.

W.P.No.34837 of 2019
and
WMP.Nos.35596, 35597 of 2019 and 783 of 2020

09.02.2023