



W.P.(MD)No.6810 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.6810 of 2023

and

W.M.P(MD)No.6370 of 2023

H.Shajahan

: Petitioner

Vs.

The Authorised Officer,
The Karur Vysya Bank Ltd.,
No.47, Court Road,
Nagercoil,
Having Office at
The Karur Vysya Bank -
Asset Recovery Branch,
Mattuthavani-Melur Road,
Near Mattuthavani Bus Stand,
Madurai – 625 001.

: Respondent

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus directing the Debts Recovery Tribunal, Madurai to dispose of the interim stay application filed in S.A.No. 77 of 2023 within time stipulated by this Court.

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For Petitioner : Mr.A.S.Abdul Kalam Azad
For Respondent : Mr.R.Pandivel
Standing Counsel

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J)

The writ petition is filed seeking for issuance of a Writ of Mandamus directing the Debts Recovery Tribunal, Madurai to dispose of the interim stay application filed in S.A.No.77 of 2023 within time stipulated by this Court.

2. There is already an order directing the Debts Recovery Tribunal to dispose of the interim application within four weeks from the date of receipt of a copy of this order. It is the complaint of the petitioner that the said direction has not been complied with. If the direction is disobeyed by the Debts Recovery Tribunal, the remedy of the petitioner is not another writ petition for a Mandamus.



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3. Therefore, this writ petition is dismissed leaving it open to the petitioner to file appropriate petition for contempt. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.] & [L.V.G., J.]
28.03.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes
skn



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R.SUBRAMANIAN., J

AND

L.VICTORIA GOWRI.,J

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