



W.P.(MD) No.15885 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P.(MD) No.15885 of 2023
and
W.M.P.(MD) No.13300 of 2023**

K.V.Murugan

... Petitioner

-VS-

The Authorised Officer
DBS Bank, CBG Regional Office
II Floor, Salem Main Road
Kathaparai, Karur-639 006

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records pertaining to the impugned return endorsement of the Debts Recovery Tribunal, Madurai, dated 09.06.2023, made in S.A.Sr.No.3508 of 2023 and quash the same and consequently direct the Debts Recovery Tribunal, Madurai to number the S.A.Sr.No.3508 of 2023 and hear the same on merits in accordance with law.



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For Petitioner : Mr.K.Suresh
For Respondent : Mr.S.I.Muthaiah
Standing Counsel

ORDER

[Order of the Court was made by S.VAIDYANATHAN, J.]

Prayer in this writ petition is to quash the return endorsement made by the Debts Recovery Tribunal, Madurai, dated 09.06.2023, in S.A.Sr.No.3508 of 2023 and to direct the Debts Recovery Tribunal, Madurai, to number the said S.A.Sr.No.3508 of 2023 and to hear the same, on merits and in accordance with law.

2. It is seen that the application filed by the petitioner before the Debts Recovery Tribunal, Madurai, has been returned for certain complaints.

3. It is open to the petitioner to re-present the same, after complying with the defects pointed out by the Tribunal, within a period of one week from the date of receipt of a copy of this order. In case, the Registrar is not satisfied with such re-presentation, the matter will have to be placed



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before the Presiding Officer for necessary orders and the Registrar has no power to take a decision or to refuse to accept the application as the Registrar's role is only administrative and not judicial.

3. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[S.V.N., J.]

[D.B.C., J.]

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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