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C.R.P(MD)No.2281 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.10.2023**

CORAM:

**THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN
AND
THE HONOURABLE MR.JUSTICE P.B.BALAJI**

**C.R.P(MD)No.2281 of 2023
and
C.M.P(MD)Nos.11740 & 11741 of 2023**

1.A.Pascal Cruz
2.Sahaya Rajila

:Petitioners

.VS.

The Authorized Officer,
State Bank of India,
Nagercoil Branch,
14-B Distillery Road,
Nagercoil,
Kanyakumari District.

: Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the order passed in I.A.No.1394 of 2023 in S.A.No.297 of 2023 dated 02.08.2023 on the file of the Debt Recovery Tribunal, Madurai.

For Petitioner

:Mr.G.Cenil



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ORDER

[Judgment of the Court was made by **RMT.TEEKAA RAMAN.,J.**]

Heard the learned counsel appearing for the petitioners.

2. The petitioners have filed the present application against the order passed in I.A.No.1394 of 2023 in S.A.No.297 of 2023, wherein, he sought for an interim stay of taking physical possession of secured assets. The Debt Recovery Tribunal, Madurai has dismissed the said application on 29.08.2023, wherein, this petitioner was not appeared and the Debt Recovery Tribunal, Madurai has also rendered a factual finding that the physical possession of the suit property has already been taken on 05.07.2023.

3. We noticed that there is a statutory appeal remedy available before the Debt Recovery Appellate Tribunal and the Presiding Officer is also there, hence, we are not exercising the



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power under Article 227 of the Constitution of India. Accordingly,
this Civil Revision Petition is dismissed. No costs. Consequently,
connected miscellaneous petitions are closed.

[T.K.R.,J.] [P.B.B.,J.]
17.10.2023

Index:Yes/No
Internet:Yes/No
NCC:Yes/No
AM

To
The Debt Recovery Tribunal,
Madurai.



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RMT.TEEKAA RAMAN,J.
AND
P.B.BALAJI,J.

am

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