



W.P.No.1355 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.1355 of 2024

Sathiyamoorthi U

.. Petitioner

Vs.

1. The Presiding Officer
Debts Recovery Tribunal III Chennai
6th Floor, Additional Office Buildings
Shastri Bhavan, Haddows Road
Chennai 600 006.

2. The Authorised Officer
Canara Bank
Mylapore Branch
27/28, 1st Floor, Dowlani Towers
R.K.Salai, Mylapore
Chennai 600 004.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorarified Mandamus to call for the records relating to the order passed in S.I.A.No.1071 of 2023 and S.I.A.No.1072 of 2023 in S.A.No.400 of 2023 on the file of the Debts



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Recovery Tribunal III, Chennai dated 01.09.2023, quash the same and consequently, direct the P.O. of the Debts Recovery Tribunal III Chennai to hear and dispose the S.I.A.No.1071 of 2023 and S.I.A.No.1072 of 2023 in S.A.No.400 of 2023 after providing due opportunity of hearing.

For the Petitioner : Ms.V.Archana

For the Respondents : Mr.M.A.Abdul Wahab
For M/s.K.V.Subramanian
Associates
for Respondent-2

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Ms.V.Archana, learned counsel for the petitioner and Mr.M.A.Abdul Wahab, learned counsel for the second respondent.

2. Learned counsel for the petitioner submits that the petitioner could not deposit the amount as directed by this Court under order dated 23.01.2024.

3. Learned counsel for the petitioner further submits that the respondent bank did not proceed further with the sale auction.



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4. Be that as it may, the proceedings are pending with the Debts Recovery Tribunal. It is for the petitioner to proceed with the application filed by him before the appropriate forum.

5. The writ petition is dismissed. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

23.02.2024

Index : Yes/No

Neutral Citation : Yes/No

kpl

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THE HON'BLE CHIEF JUSTICE
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