



WP No.6705 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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G.Parthiban

: Petitioner

versus

1.The Presiding Officer,
Debts Recovery Tribunal, Chennai,
7th Floor, Additional Office Buildings,
Shastri Bhavan, Haddows Road,
Chennai 600 006

2.The Authorised Officer,
Axis Bank Ltd.,
Retails Asset Centre,
4th Floor, Arcot Road,
New No.38, Old No.165, Arcot Road,
Kodambakkam, Chennai 24.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the Presiding Officer of Debts Recovery Tribunal, III, Chennai, that the full fees can be collected only once on the due date as claimed in Sec.13(2) demand notice and fee to be collected on every additional measures under Section 13(4) in



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pending SA No.584 of 2023 is Rs.200/- only and the excess fees collected in SA No.584 of 2023 be refunded.

For Petitioner : Ms.V.Archana

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Ms.V.Archana, learned counsel for the petitioner.

2. Learned counsel for the petitioner submits that for challenging a series of actions taken under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, (for short, 'the Act') every time, fresh court fees is not required to be paid.

3. According to the learned counsel, once on the debt due full fees is collected, then for additional measures, only Rs.200/- (Rupees Two Hundred only) is to be collected and the excess fees collected in SA No.584/2023 needs to be refunded.

4. It is for the petitioner to make necessary application before



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the Court where the Court fees is to be paid. In case the application is rejected, then, the said order can be challenged in accordance with law and as may be permissible under law.

5. With this observation, the writ petition is disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

18.03.2024

Index : Yes/No
Neutral Citation : Yes/No
tar

To

The Presiding Officer,
Debts Recovery Tribunal, Chennai,
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Chennai 600 006



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THE HON'BLE CHIEF JUSTICE

AND

D.BHARATHA CHAKRAVARTHY, J.

(tar)

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