



CRP No.808 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Arockiaraj : Petitioner

versus

The Authorised Officer,
Hinduja Leyland Finance Ltd.,
No.27A, Developed Industrial Estate,
Guindy, Chennai 32 : Respondent

Prayer: Petition filed under Article 227 of the Constitution of India to set aside the Docket Order dated 01.02.2024 made by the Debts Recovery Tribunal III, Chennai, in SA Sr.No.1386 of 2024.

For Petitioner : Ms.Gopika Nambiar

For Respondent : Mr.K.J.Parthasarathy



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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Ms.Gopika Nambiar, learned counsel for the petitioner and Mr.K.J.Parthasarathy, learned counsel for the respondent.

2. Learned counsel for the respondent submits that in fact, the order impugned in the present petition returning the Securitisation Application filed by the petitioner for filing before the appropriate forum, is passed by the Registrar and not the Presiding Officer.

3. If the Registrar was of the opinion that the Debts Recovery Tribunal III, Chennai, does not have the jurisdiction, he should have placed the same before the Presiding Officer.

4. In light of that, the impugned order passed by the Registrar is quashed and set aside. The Registrar may raise the objection and thereafter shall place the matter before the Presiding Officer for considering the issue of jurisdiction.



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5. The civil revision petition is accordingly disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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To

The Debts Recovery Tribunal III, Chennai



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THE HON'BLE CHIEF JUSTICE
AND

D.BHARATHA CHAKRAVARTHY, J.

(tar)

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