



W.P.No.3467 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.3467 of 2024

A.R.Rahim

.. Petitioner

Vs.

M/s. Repco Home Finance Ltd.
Rep. by Authorised Officer
Indian Red Cross Building
8/26, Hozur Road
Coimbatore 641 018.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the Debts Recovery Tribunal, Coimbatore to extend the time (two months) to pay the 2nd instalment of Rs.36,00,000/- in view of the order dated 21.12.2023 passed in I.A.No.4392 of 2023 in S.A.No.910 of 2023.

For the Petitioner : Mr.P.Tamilavel

For the Respondent : Mr.A.Ilangovan

ORDER



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(Made by the Hon'ble Chief Justice)

We have heard Mr.P.Tamilavel, learned counsel for the petitioner and Mr.A.Ilangovan, learned counsel for the respondent.

2. The petitioner had approached this Court against the order passed by the Debts Recovery Tribunal directing the petitioner to deposit Rs.72.00 lakh (Rupees seventy two lakh only). Rs.36.00 lakh (Rupees thirty six lakh only) was directed to be deposited on or before 18.01.2024 and another Rs.36.00 lakh (Rupees thirty six lakh only) was to be deposited on or about 15.02.2024. The petitioner has deposited the first instalment, however, failed to deposit another instalment of Rs.36.00 lakh on or before 15.02.2024. The petitioner approached this Court seeking extension of time to deposit. On 15.02.2024, we granted extension of two weeks' time to the petitioner to deposit the amount, i.e. the amount was to be deposited on or before 29.02.2024 and the matter was kept today.

3. Learned counsel for the petitioner submits that the petitioner could not comply with the order and could deposit only Rs.1.00 lakh on



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29.02.2024. However, the petitioner is not in a position to deposit the remaining amount of Rs.35.00 lakh.

4. The petitioner has failed to deposit Rs.35.00 lakh within the time stipulated. We extend the period of deposit of Rs.35.00 lakh up to 22.03.2024. In case the remaining amount of Rs.35.00 lakh is deposited on or before 22.03.2024, then, the same would be deemed to be in compliance of the orders of Debts Recovery Tribunal.

5. In case the petitioner fails to deposit Rs.35.00 lakh on or before 22.03.2024, then, the order of the Debts Recovery Tribunal stands and it would be operative.

6. The writ petition is 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 Authorised Officer
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Indian Red Cross Building
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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J

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