



W.P.No.5440 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.5440 of 2024

Asan Mohamed

.. Petitioner

Vs.

1. The Registrar
Debts Recovery Tribunal – III
Chennai – 600 008.

2. M/s.Ariff and Co.

3. Aboobucker Ariff

4. Hameeda Banu

5. Authorized Officer under SARFAESI Act
LIC Housing Finance Limited
Harrington Chambers, Block No.A & C
No.30/1A, Abdul Razack 1st Street
Saidapet, Chennai – 600 015.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, to direct the 1st respondent to assign registration number and list the petitioners securitization Application dated 24.01.2024 vide S.A.Diary No. 193/2024 and to decide the application on merits in accordance with law.



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For the Petitioner : Mr.Sankaranarayanan
Senior Counsel
for Mr.Muthuchharan Sundresh

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.Sankaranarayanan, learned Senior Counsel appearing for Mr.Muthuchharan Sundresh, learned counsel for the petitioner.

2. Learned Senior Counsel appearing for the petitioner submits that the petitioner is ready to pay the entire court fees. That is only the objection raised on maintainability. The auction is scheduled on 08.03.2024. The learned Presiding Officer has kept the matter on 28.03.2024 for passing orders on the application for maintainability.

3. The petitioner shall deposit the entire court fee without prejudice to the rights and contentions. Upon deposit of the entire court fee, the learned Presiding Officer of the Debts Recovery Tribunal shall consider the application for stay filed by the petitioner on its own merits and endeavour to pass orders before 08.03.2024.



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4. In light of that, the writ petition stands disposed of. There shall be no order as to costs. Consequently, W.M.P.No.6007 of 2024 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

04.03.2024

Index : Yes/No

Neutral Citation : Yes/No

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To

1. The Registrar
Debts Recovery Tribunal – III
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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(drm)

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