



W.P No.7981 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P No.7981 of 2024
and W.M.P.No.8956 of 2024

S.Saravanan

.. Petitioner

-VS-

1.The Registrar

Debts Recovery Appellate Tribunal
Chennai, 7th Floor, Additional
Office Buildings, Shastri Bhavan
Haddows Road, Chennai 600 006.

2.The Authorised Officer

Indian Bank, Paramakudi Branch
3/547, L1 Madurai Rameswaram
Main Road, Paramakudi 623 707.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to number the AIR (SA) 1217 of 2023 on receipt of the payment of Rs.23,00,000 /- (Rupees Twenty Three Lakhs only) which is tendered by the petitioner as precondition deposit and permit to withdraw the waiver petition, entertain and adjudicate the appeal on merits.

Page 1 of 5



WEB COPY



W.P No.7981 of 2024

For the Petitioner : Mr.R.Munusamy
for Mr.G.Ilamurugu

For the Respondents : Mr.M.Karthikeyan
Senior Panel Counsel - for R1
Mrs.Hemalatha Suresh - for R2

* * * * *

O R D E R

(Made by the Hon'ble Chief Justice)

Heard Mr.R.Munusamy representing Mr.G.Ilamurugu, learned counsel for the petitioner, Mr.M.Karthikeyan, learned Senior Pael Counsel for the first respondent and Mrs.Hemalatha Suresh, learned counsel for the second respondent.

2. The Securitisation Appeal filed by the petitioner is not being registered on the ground that writ petition is filed and 50% of the amount with interest is required to be deposited and the same is not deposited.

3. Learned counsel for the petitioner submits that the demand under Section 13(2) is Rs.50 lakhs and Rs.25 lakhs is already paid to



W.P No.7981 of 2024

the bank. He further submits that the petitioner would deposit Rs.23 lakhs more.

4. In view of the statement made by the learned counsel for the petitioner that Rs.25 lakhs is already paid to the bank as per the directions of the Court and that he would deposit a further sum of Rs.23 lakhs, upon deposit of Rs.23 lakhs, the Securitisation Appeal filed by the petitioner shall be registered, of course if it complies with all the requirements.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(J.S.N.P., J.)

17.04.2024

Index : Yes/No
Neutral Citation : Yes/No
kst



W.P No.7981 of 2024

WEB COPY To

- 1.The Registrar
Debts Recovery Appellate Tribunal
Chennai, 7th Floor, Additional
Office Buildings, Shastri Bhavan
Haddows Road, Chennai 600 006.
- 2.The Authorised Officer
Indian Bank, Paramakudi Branch
3/547, L1 Madurai Rameswaram
Main Road, Paramakudi 623 707.



WEB COPY



W.P No.7981 of 2024

THE HON'BLE CHIEF JUSTICE
AND
J.SATHYA NARAYANA PRASAD, J.

(kst)

W.P No.7981 of 2024

17.04.2024