



W.P.No.9948 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2024

CORAM :

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

AND

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

W.P.No.9948 of 2024

L.Elango

.. Petitioner

Vs.

1. The Authorised Officer
City Union Bank Limited
Administrative Office
No.24-B, Gandhi Nagar
Kumbakonam – 612 001.
2. AKS Embridery Pvt. Ltd.
Rep. by its Managing Director
No.49/13, Glory Complex 1st Floor
Ayyan Nagar Extension
Mangalam Road, Tiruppur.
3. N.Praveen Ragav
4. Abdul Khader

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the Debts Recovery Tribunal Coimbatore to dispose of the I.A.No.1257 of 2021 in S.A.No.179 of 2017 before the S.A. is taken up for enquiry.



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For the Petitioner : Mr.R.Gowthama Narayanan

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.R.Gowthama Narayanan, learned counsel for the petitioner.

2. Learned counsel for the petitioner submits that the petitioner is the son of the mortgagor, who has died. An application is filed seeking impleadment in the Securitisation Application and the said Securitisation Application is filed by the brother of the petitioner, who is the borrower. The interim application filed by the petitioner is not being decided.

3. The petitioner may make a request to the concerned Debts Recovery Tribunal for considering interim application bearing I.A.No.1257 of 2021 on its own merits. The Debts Recovery Tribunal shall decide I.A.No.1257 of 2021 filed by the petitioner in S.A.No.179 of 2017 on merits and in accordance with law.



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4. The writ petition, as such, stands disposed of. There shall be no orders as to costs. Consequently, W.M.P.No.10963 of 2024 is closed.

(S.V.G., CJ.)

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

12.04.2024

Index : Yes/No

Neutral Citation : Yes/No

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

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