



WEB COPY



WP No. 13230 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HON'BLE MRS. JUSTICE R. KALAIMATHI

W.P.No.13230 of 2024

S.Subramanian

.. Petitioner

Versus

1.The Registrar
Debt Recovery Tribunal – III
Shastri Bhavan, Subba Road Avenue
Nungambakkam, Chennai – 600 008

2.JM Financial Asset Reconstruction
Company Ltd
Represented by its Senior Analyst Mr.Nilesh Bhople
Cnerg, 7th Floor, Aposahab Marathe Marg
Prabadevi, Mumbai – 400 025

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the Debt Recovery Tribunal III, Chennai to dispose of the O.A.No.311 of 2016 within a timeframe.

For Petitioner : Mr.A.Arockia Satheesh

ORDER



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(Made by **A.D.JAGADISH CHANDIRA, J.**)

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This writ petition is filed for a direction directing the Debt Recovery Tribunal III, Chennai to dispose of the O.A.No.311 of 2016.

2. Since no adverse order is passed against the respondents, notice to the respondents are dispensed with.

3. It is the case of the writ petitioner that the assignee/second respondent insured the plant and machineries available in the secured asset for an amount of Rs.1,39,00,000/-. When the matter stood thus, the plants and machineries were damaged in the rain and floods during December, 2015 and the second respondent did not claim the insurance amount diligently and the same was sold for a meagre amount as against the insured amount. Further, the second respondent has filed O.A.No.311 of 2016 claiming a sum of Rs.2,21,05,255/- and the petitioner has also filed a counter claim in C.C.No.1 of 2017, however, the second respondent is not contesting the O.A., hence, this writ petition seeking for speedy disposal of the above Original Application.

4. Heard both sides and perused the materials placed on record.



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5. Considering the limited relief sought for in this writ petition, this Court without going into the merits of the case directs the Debt Recovery Tribunal III, Chennai to dispose of the original application in O.A.No.311 of 2016 as expeditiously as possible.

6. Accordingly, this writ petition stands disposed of. No costs.

[A.D.J.C., J.] [R.K.M., J.]
08.05.2024

dhk

Internet : Yes
Index : Yes/No
Neutral Citation : Yes/No

To

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A.D.JAGADISH CHANDIRA, J.
and



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R. KALAIMATHI, J.

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