



W.P.No.14422 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2024

CORAM :

THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**
and
THE HONOURABLE MR.JUSTICE **V.LAKSHMINARAYANAN**

W.P.No. 14422 of 2024
and
W.M.P.Nos.15690 and 15692 of 2024

M.Jothi Edison
S/o.Muruganathaswamy

.. Petitioner

VS

1. The Indian Bank,
No.31, Rajaji Salai,
Chennai – 600 001,
also at Having Branch Office at
No.31, Variety Hall Road,
Coimbatore – 641 001,
Rep.by its Assistant General Manager,
M.Gopalakirshnan.
2. M/s.Muruganthan Mill Ltd.,
No.7/2, Gopalapuram,
Coimbatore – 641 018,
Represented by Official Liquidator,
High Court of Madras.
3. G.Muruganathaswamy



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WEB COPY S/o.Late Govindasamy Chettiar

4. G.Sethuramalingam
S/o.Late Govindasamy Chettiar
5. G.Balasubramaniam
S/o.Late Govindasamy Chettiar
6. Dhanabagiam
D/o.Late Govindasamy Chettiar
7. The Official Liquidator,
High Court of Madras,
Chennai – 600 104.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order passed in TA.No: 334 of 2002 dated 28.02.2024 by the Debts Recovery Tribunal at Coimbatore and quash the same and further direct the Debts Recovery Tribunal at Coimbatore to release the property of the petitioner in Old Ward No.5, T.S.No.1/298/9, present T.S.No.1/1227, Old Door Nos.5/37, 7/2 present Door No.3, Gopalapuram 1st Street, which comes within the Coimbatore Corporation.

For Petitioner : Mr.M.Prem Kumar



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ORDER

**(Order of the Court was made by
V.LAKSHMINARAYANAN, J.)**

The writ petitioner challenges an order dated 28.02.2024 in T.A.No.334 of 2002, whereby the Debts Recovery Tribunal, Coimbatore has dismissed the application filed by the petitioner seeking to implead himself in the said proceedings. The implead petition came to be filed after liberty has been granted by this Court to move the said application in the previous round of litigation.

2. We are of the view that since there is an effective alternate remedy before the Debts Recovery Appellate Tribunal, Chennai, the present writ petition is liable to be dismissed. Granting three weeks time to the petitioner to approach the Debts Recovery Appellate Tribunal, Chennai, this Writ Petition is disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.



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**[J.S.N.P.,J] [V.L.N., J]
29.05.2024**

Index: Yes/No

Neutral Citation: Yes/No

Speaking / Non-Speaking

ms/mk

To

1. The Indian Bank,
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also at Having Branch Office at
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**J.SATHYA NARAYANA PRASAD., J
and
V.LAKSHMINARAYANAN., J**

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