



WEB COPY



WP No.28864 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2024

CORAM

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No.28864 of 2024

and

WMP No.31476 of 2024

G.Immanuel Jayakumar

: Petitioner

versus

The Authorised Officer cum
Chief Manager,
Indian Overseas Bank,
Gandhipuram Branch,
Regional Office Area Premises,
953, Cross Cut Road,
Coimbatore 641 012

: Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus forbearing the respondent from taking any coercive steps to dispossess the petitioner from the mortgaged properties/ secured assets of the petitioner till the pending disposal of the appeal preferred before the Debt Recovery Appellate Tribunal, Chennai in MA (SA) No.16 of 2024.

For Petitioner : Mr.M.Venkadesh Kumar

For Respondent : Mr.F.B.Benjamin George
ORDER



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(Order of the Court was made by the Hon'ble Chief Justice)

Learned counsel for petitioner states that petitioner has filed an appeal before the Debt Recovery Appellate Tribunal along with a stay application. Learned counsel states that condition for filing appeal has been complied with.

2. Mr.F.B.Benjamin George, learned counsel appearing for respondent, also agrees to the said compliance.

3. Learned counsel for petitioner states that the next date given for hearing of the stay application is 04.11.2024. Learned counsel further states that within thirty days from today, petitioner would pay the entire outstanding as per sale notice dated 26.10.2020, less the amount already deposited before the Debts Recovery Tribunal and Debt Recovery Appellate Tribunal.

4. The said statement is accepted as an undertaking before this Court. The amount can be paid in a maximum of three installments.



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5. In view of the statement made, no coercive steps shall be taken by respondent until 04.11.2024. If the amount is not paid, the stay application filed before the Debt Recovery Appellate Tribunal shall stand dismissed on 04.11.2024.

6. The petition stands disposed of. There will be no order as to costs. Consequently, the interim application also stands disposed of.

(K.R.SHRIRAM, CJ.)

**(SENTHILKUMAR RAMAMOORTHY,
J.)**

03.10.2024

Index : Yes/No
Neutral Citation : Yes/No
tar

To
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AND

SENTHILKUMAR RAMAMOORTHY, J.

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