



WEB COPY



WP No.21318 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2024

CORAM:

THE HON'BLE MR.D. KRISHNAKUMAR, ACTING CHIEF JUSTICE
AND

THE HONOURABLE MR.JUSTICE P.B. BALAJI

WP No.21318 of 2024

The Authorized Officer
Canara Bank,
Saibaba Colony Branch,
Coimbatore -641 001.

... Petitioner

versus

The Registrar,
Debts Recovery Tribunal,
Coimbatore.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Mandamus, directing the respondent to dispose of the SARFAESI Appeal Nos.487 of 2023 and 29 of 2024 within a time limit.

For the Petitioner

:Mr.S.Pandurangan



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ORDER

(Made by the Hon'ble Acting Chief Justice)

The writ petition is filed for a direction to the respondent Debts Recovery Tribunal, to dispose of the SARFAESI Appeal Nos.487 of 2023 and 29 of 2024 within a time limit.

2. According to the petitioner bank, the borrowers have filed an application in S.A.No.487 of 2023 under Section 17 of SARFAESI Act, challenging the sale proceedings before the Debts Recovery Tribunal and an application in S.A.No.29 of 2024 under Section 17 of SARFAESI Act, before the Debts Recovery Tribunal, challenging the order passed in Crl.MP.No. 38391 of 2023 filed under Section 14 of the SARFAESI Act by the petitioner bank. According to the petitioner bank, the said applications have been filed in the year 2023 and 2024. The auction purchaser also impleaded as a party in the aforesaid SA proceedings, still applications are pending without taking for final disposal. Despite the petitioner bank also filed an application for fixing the date for disposal of the said applications, still these



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applications are pending and therefore, he seeks for early disposal of the said applications filed by the borrowers.

3. Though several applications have been pending before the Tribunal, considering and facts and circumstances of the case, we direct the Debts Recovery Tribunal, Coimbatore, to dispose the applications in S.A.No.487 of 2023 and S.A.No.29 of 2024, in accordance with law, as early as possible.

4. With the above directions, the writ petition stands disposed of. There shall be no order as to costs.

(D.K.K., ACJ.) (P.B.B., J.)
22.08.2024

Index : Yes/No
Neutral Citation : Yes/No
mrn

To
The Registrar,
Debts Recovery Tribunal,
Coimbatore.



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THE HON'BLE ACTING CHIEF JUSTICE

and

P.B. BALAJI, J.

(mrn)

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