



C.R.P.No.4357 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

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Encore Asset Reconstruction Company Pvt Ltd.,
Rep by B.M. Nagaraju,
Having registered office at Caddu Commercial Tower
Regus Business Center, 5th Floor,
Aerocity, New Delhi.

.. Petitioner

Vs

- 1.P.V.R.S.Manikumar
Sole Proprietor, M/s. Kumar Construction
No.6, Jamaliam Nagar, Perambur High Road,
Chennai 12.
- 2.P.Bhuvaneshwari
- 3.P.Sathakeerthi
- 4.S.Sathyanarayana
- 5.Kothapettah Co-operative House Building Society,
16-2-805, Shamkesar Bazaar,
Hyderabad 500 036.

.. Respondents



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Prayer : Petition filed under Article 227 of the Constitution of India to direct the Debt Recovery Tribunal-II, Chennai to hear and dispose of TA No.111 of 2022 within a stipulated time.

For Petitioner : Mr.Jayesh B.Dolia
Senior Counsel
for M/s.Aiyar and Dolia

ORDER

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

The prayer is only to expedite the hearing of T.A.No.111 of 2022.

2. It is averred in the petition that the Original Application was filed in 1997, which was later re-numbered in 2001, and again in 2007 and now in 2022. The Original Application is for recovery of an amount of Rs.13,15,81,209.40 along with interest pertaining to a loan that was given to first respondent. It is stated that no written statement was also filed and the Tribunal set the matter *ex parte* on 26.3.1999. Proof of affidavit along with documents in 13 volumes has been filed as early as 19.7.1999 and the matter was reserved for orders. For some reason or the other, the matter has not been disposed of. Hence, the petitioner is seeking a limited relief to direct the Debts Recovery Tribunal-II, Chennai, to expedite the hearing of



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3. Though we would not have in normal circumstances granted such a relief, as we are not aware of the pendency in Debts Recovery Tribunal-II, considering the facts narrated above, we request the Debts Recovery Tribunal-II, Chennai, to dispose of T.A.No.111 of 2022, as early as possible, preferably on or before 31.1.2025.

4. We clarify we have not made any observation on the merits of the matter.

Petition is disposed of. There shall be no order as to costs.

(K.R.SHRIRAM, C.J.)

(SENTHILKUMAR RAMAMOORTHY, J.)

06.11.2024

Index : Yes/No
NC : Yes/No
sasi



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To:
The Registrar
Debts Recovery Tribunal-II
Chennai.



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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

(sasi)

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