



WEB COPY



W.P.No.31103 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.31103 of 2024

&

W.M.P.Nos.33747 & 33746 of 2024

1. M/s. New Star Enterprises
Rep. by its Proprietor Lakshmanan Muniyandi
S/o. Lakshmanan
Plot No.52, 4th Street
Abirami Avenue, S.No.176/3A1C
Kondungaiyur Village, Tondiarpet
Chennai 600 118.

2. Jayalakshmi .. Petitioners
Vs.

1. Union of India
Rep. by Secretary to Government
Ministry of Finance
Department of Banking
Sanmadmurg, New Delhi.
2. The Registrar
Debt Recovery Appellate Tribunal (DRAT)
Shastri Bhavan, 7th Floor, Additional
Haddows Road, Chennai 600 006.



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3. IndiaBulls Housing Finance Ltd.

Having office at No.M62 & 63, First Floor
Connaught Place
New Delhi 110 001.

4. The Authorised Officer

CFM Asset Reconstruction Pvt. Ltd.
Block No.A/1003, West Gate, Near YMCA Club
SUR No.835/1+3, S.G.Highway Makarba
Ahmedabad.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus directing the 2nd respondent to issue appropriate directions to dispose of AIR SA Diary No.1068 of 2024 on the file of Debt Recovery Appellate Tribunal, Chennai at an early date by the Chairperson-in-charge, Debt Recovery Appellate Tribunal, Chennai or any other Chairperson, Debt Recovery Appellate Tribunal functioning anywhere in India.

For Petitioners : Mr.R.Thiagarajan

For Respondents : Mr.V.Ashok Kumar
Central Government Standing Counsel
for Respondent-1

Mr.T.Sai Krishnan
for Respondents 3 & 4

Tribunal – Respondent-2



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ORDER

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

At the time when the petition was filed, the Debt Recovery Appellate Tribunal was not functioning. Now that a President has been appointed and the Debt Recovery Appellate Tribunal is functioning, counsel seeks leave to withdraw the petition and states that he will pursue the appeal that is already filed and scheduled to be listed on 06.11.2024/07.11.2024.

2. Petition is dismissed. All rights and contentions kept open. We have not made any observation on the merits of the matter. There shall be no order as to costs. Consequently, W.M.P.No.33746 of 2024 filed to permit petitioners to join and file single writ petition is ordered and W.M.P.No.33747 of 2024 stands disposed of.

(K.R.SHRIRAM, CJ)

(SENTHILKUMAR RAMAMOORTHY, J.)

04.11.2024

Index : Yes/No
Neutral Citation : Yes/No
kpl



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To

1. The Secretary to Government
Union of India
Ministry of Finance
Department of Banking
Sanmadmurg, New Delhi.
2. The Registrar
Debt Recovery Appellate Tribunal (DRAT)
Shastri Bhavan, 7th Floor, Additional
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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

(kpl)

W.P.No.31103 of 2024

04.11.2024