



WEB COPY



W.P.No.29732 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2024

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.No.29732 of 2024 and
W.M.P.Nos.32390 and 32294 of 2024

1. Mrs.E.Chandra
2. Mr.Elangovan S R
3. Mr.Vignesh Rajendran E

... Petitioners

-VS-

M/s.Cholamandalam Investment and Finance Company Ltd.,
Rep. by its Authorised Officer,
Mr.K.Thiyagarajan,
Dare House, 1st Floor, 2 NSC Bose Road,
Chennai-600 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to modify the condition imposed in I.A.No.911/2024 in S.A.No.220 of 2024 dated 25.04.2024 by the Debts Recovery Tribunal-II, Chennai to honour regular EMI's fell due till furnish proper statement of account with actual outstanding amount.

For Petitioner : Mr.P.Tamilavel

For Respondent : Mr.Kishore Balasubramanian



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W.P.No.29/2024

ORDER

(By D.Krishnakumar,J.)

This Writ Petitioner has been filed to modify the condition imposed in I.A.No.911/2024 in S.A.No.220 of 2024 dated 25.04.2024 by the Debts Recovery Tribunal-II, Chennai to honour regular EMI's till furnish proper statement of account with actual outstanding amount.

2. It is represented that since there was no Presiding Officer in Debts Recovery Tribunal, the petitioner has straightaway approached this Court. Learned counsel for the Writ Petitioner fairly stated that now, the Presiding Officer, Debts Recovery Tribunal-I is in-charge of the Debts Recovery Tribunal-II, Chennai and therefore, he seeks liberty to move the Debts Recovery Tribunal-I for modification of the condition in I.A.No.911/2024 in S.A.No.220 of 2024.

3. Learned counsel for the respondent stated that there is no legal impediment to file modification petition before the Debts Recovery Tribunal-I, Chennai,

4. In view of the above submissions, this Writ Petition is disposed of, with liberty to the petitioner to file petition before the Debts Recovery Tribunal-I for



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modification of the conditions within a period of one week from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

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[D.K.K., J.,]

[P.B.B.,J.,]

12.11.2024

Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order
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D.KRISHNAKUMAR,J.,

AND

P.B.BALAJI,J.,

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