



C.R.P.No.4759 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA,
CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

C.R.P.No.4759 of 2023

1. K.Vengadessan
2. J.Jeyahar
3. R.Muruga
4. M.Leo Christopher
5. P.Sivapragassame
6. E.Nirmala
7. T.Uma
8. G.Muthamizh
9. A.Shaik Mohamed Noor
10. N.Pushpalatha
11. M.Rinu Sindhuja
12. M.Sakunthaladevi
13. N.Mahendravarman
14. B.Ambika
15. A.Senthinathan
16. M.Nagarajan
17. S.Murugesan

.. Petitioners

Versus

The Authorised Officer,
State Bank of India,
Stressed Assets Management Branch,
Red Cross Building, Egmore,



C.R.P.No.4759 of 2023

Chennai - 600 008.

.. Respondent

WEB COPY

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order, dated 11.07.2023 and 18.09.2023 in AIR (SA) No.338 of 2023 on the file of Debt Recovery Appellate Tribunal, Chennai.

For Petitioners : Mr.Arokia Satheesh

For Respondent : Mr.M.L.Ganesh

ORDER

(Order made by the Hon'ble Chief Justice)

The petitioners had filed an appeal against the order of the Debts Recovery Tribunal - II, Chennai. The Registrar, Debt Recovery Appellate Tribunal, Chennai, on the objections of deficit Court fee and limitation, declined the appeal.

2. We have heard Mr.Arokia Satheesh, learned Counsel for the petitioners and Mr.M.L.Ganesh, learned Counsel for the respondent Bank.

3. No doubt, the Registrar has powers to raise objections with regard to Court fee and limitation, however, could not have dismissed it on the ground of limitation. The same was required to be placed before the Presiding Officer, Debt Recovery Appellate Tribunal, Chennai, who would



C.R.P.No.4759 of 2023

WEB COPY

have passed the order. The objections raised by the Registrar ought to be placed before the Presiding Officer, Debt Recovery Appellate Tribunal, Chennai.

4. In the light of that, we set aside the impugned order. The Registrar, Debt Recovery Appellate Tribunal, Chennai shall place the matter before the Presiding Officer, Debt Recovery Appellate Tribunal, Chennai to take decision with regard to the objections raised by the Registrar.

5. This Civil Revision Petition is disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)
23.01.2024

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

The Debt Recovery Appellate Tribunal,
Chennai.



WEB COPY



C.R.P.No.4759 of 2023

**THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.**

grs

C.R.P.No.4759 of 2023

23.01.2024