



W.P.(MD) No.25441 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.25441 of 2024
and
W.M.P.(MD)Nos.21589 to 21591 of 2024**

1.R.Revathy

2.M.Ravikumar

... Petitioners

-vs-

1.The President Officer,
Debts Recovery Tribunal,
Madurai.

2.The HDFC Bank Ltd.,
Rep. By its Authorized Officer,
No.406, Sakthi Sivam Plaza Pumping Station Road,
9th Cross Street, K.K.Nagar,
Madurai - 625020.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned order in S.A.No.610 of 2024 dated 19.09.2024 passed by the 1st respondent and quash the same as illegal and consequently directing the respondents to modify the installments amounts.

For Petitioners
For 1st Respondent

: Mr.K.S.Durai Pandian
: Mr.S.Karthick
Central Government Standing Counsel
: Mr.N.S.Karthikeyan

For 2nd Respondent



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ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Mr.S.Karthik, learned Central Government Standing Counsel takes notice for the 1st respondent. Mr.N.S.Karthikeyan, learned counsel takes notice for the 2nd respondent.

2.The challenge in this Writ Petition is to the interim order granted by the Debts Recovery Tribunal, pending disposal of Securitization Application, in which the order passed under Section 14 of the SARFAESI Act is challenged.

3.It is the grievance of the petitioner that the conditions imposed by the Debts Recovery Tribunal in the interim order are onerous. It is open to the petitioner to file an Appeal against the order before the Debts Recovery Appellate Tribunal. Hence, we do not think we can entertain the Writ Petition. Leaving it open to the petitioner to approach the Appellate Tribunal, the Writ Petition is dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M., J.]

[L.V.G., J.]

23.10.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
Mrn



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To

The President Officer,
Debts Recovery Tribunal,
Madurai.



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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

Mrn

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