



C.R.P.No.1676 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 04.06.2025

CORAM :

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

C.R.P.No.1676 of 2025
and C.M.P.No.9666 of 2025

1. Lifestyle Housing Systems
Rep. by its Proprietix, M.Subbulakshmi
2. Subbulakshmi
W/o. K.Muthuram
3. K.Muthuram
S/o. Kechaia,
All are at
No. 5, M.G.R. Street, Cholavaram Nagar,
Chrompet, Chennai-600 044.

Petitioners

Vs

The Authorised Officer
Punjab National Bank,
Circle Sastra Centre Chennai South,
No. 769, 2nd Floor, Spencer Plaza,
Anna Salai, Chennai-600 002.

Respondent



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Prayer: Petition filed under Article 227 of the Constitution of India to set aside the proceedings dated 26.02.2025 in I.A.No. 602 of 2024 (Waiver) in AIR (SA) No. 1191 of 2024 on the file of the Debt Recovery Appellate Tribunal, Chennai is illegal and bad in law and allow the Civil Revision Petition.

For Petitioners: Mr.D.Murugan

For Respondent: Mr.C.S.Sashikumar
for Mr.M.L.Ganesh

ORDER

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

Petition impugns a discretionary order passed by the Debt Recovery Appellate Tribunal on 26th February, 2025, by which petitioners were directed to deposit 25% of a sum of Rs.2,68,47,039.86p, which was the amount payable under a demand notice dated 12th January, 2023. Petitioners approached the Debt Recovery Appellate Tribunal aggrieved by



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an order dated 10th July, 2024 passed by the Debts Recovery Tribunal. The Debts Recovery Tribunal had directed petitioners to deposit 20% of the said amount. 10% was to be paid within one week from the date of the order and the remaining 10% was to be paid within 30 days thereafter.

2. Admittedly, to a query posed by us, counsel for petitioners stated that even after the demand notice dated 12th January, 2023 was issued, not a penny has been paid to the bank. In our view, the orders passed by the Debts Recovery Tribunal or the Debt Recovery Appellate Tribunal are discretionary orders and we find absolutely no perversity in the discretion exercised.

3. Petition is dismissed. Consequently, interim application is closed.

4. Counsel for respondent presses for costs. Petitioners to pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) as costs to the following account of the Tamil Nadu Advocate's Clerk's Association, High Court Buildings, High Court, Chennai-600 104:

Account No. : 484026006



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Branch : Indian Bank, High Court Branch
IFSC No. : IDIB000M157

This amount shall be paid within two weeks from today. If not paid, the Debts Recovery Tribunal or the Debt Recovery Appellate Tribunal may dismiss the pending applications.

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

(SUNDER MOHAN, J.)

04.06.2025

Index : Yes/No
Neutral Citation : Yes/No
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To:

The Authorised Officer
Punjab National Bank,
Circle Sastra Centre Chennai South,
No. 769, 2nd Floor, Spencer Plaza,
Anna Salai, Chennai-600 002.

Copy to:

- 1.The Presiding Officer,
Debts Recovery Tribunal-III,
Chennai.
- 2.The Chairperson,
Debt Recovery Appellate Tribunal,
Chennai.



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THE HON'BLE CHIEF JUSTICE
AND
SUNDER MOHAN,J.

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