



WP No.14930 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2025

CORAM

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

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No.14930 of 2025

and

WMP No.16823 of 2023

1.M/s.Suganthi Educational Trust,
Represented by its Managing Trustee,
Dr.Sujatha Balasubramanian.

2.M/s.Sujatha Balasubramanian

3.Dr.Ba.S.Rohini Jayapriya

4.Mr.C.Balasubramanian : Petitioners

versus

1.M/s.CFM Asset Reconstruction Private Limited
(Acting in its Capacity as Trusty of CFMSRC
Trust-1 KVB)

Having its Registered office at
Block No.A 1003, West Gate,
New YMCA Club,
S.No.835/1-3
S.G.Highway,
Gujarat-380 051.

: Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to grant extension of time for a period of over four weeks thereby enabling the petitioners to comply with the order passed in I.A.No.838 of 2025 in S.A.No.262 of 2025, on the file of respondent No.1 directing the petitioners to deposit 15% of the outstanding amount on the order passed under Section 14 of the SARFAESI Act in C.M.P.No.769 of 2025, on the file of the Chief Judicial Magistrate, Chengalpattu.

For Petitioner(s):

Mr.OM Prakash
Senior Advocate
for M/s.Anuradha Balaji

For Respondent(s):

Mr.Aparajitha Vishwanath

ORDER

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

The petition does not impugn any order passed by the Debts Recovery Tribunal (DRT) or the Debts Recovery Appellate Tribunal (DRAT). The petition only seeks a mandamus to respondent that is a private financial institution, to grant extension of four weeks to petitioner, to comply with the order passed by the DRT, directing petitioner to deposit 15 % of the outstanding amount.



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2. Such a relief cannot be granted under Article 226 of the Constitution of India against a private party. Moreover, if at all the time can be extended, it can be only by the DRT and not respondent No.1 because it is the DRT which has fixed the time to deposit 15 %.

3. Petition is dismissed. There shall be no order as to costs.

4. WMP No.16822 of 2025 filed by petitioners to permit them to file a single writ petition is allowed and disposed of.

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

(MOHAMMED SHAFFIQ, J.)

29.04.2025

Index : Yes/No
Neutral Citation : Yes/No
mrn



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To

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2.The Chief Judicial Magistrate,
Chengalpattu.



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THE HON'BLE CHIEF JUSTICE

AND

MOHAMMED SHAFFIQ, J.

(mrn)

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