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CRP Nos.1979 and 1987 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

CRP Nos.1979 & 1987 of 2025

M/s.Manoharamma Hotel Investments Pvt. Ltd,
Rep by its Director P.Rajesh : Petitioner

Vs

- 1.Asset Reconstruction Company Ltd
Rep.by its Manager
10th Floor, No.29, Senapathi Bapat Marg
Dadar West, Mumbai 400 078
- 2.M/s.Anandaram Developers Pvt Ltd
Rep by its Director Shri.Mukund Vijayan
New No.45 and 47, Arcot Road, Saligramam
Chennai 600093
- Also at M/S Anandaram Developers Pvt Ltd
Rep by its Director Mukund Vijayan,
Flat No.1-A, Block No.6,
Rani Meyyammai Towers,
RA Puram, Chennai 600 028
- 3.M/s.Bharani Properties & Developers Pvt Ltd
Rep. by its Director K.Tarun Kumar
New No.45 and 47 Arcot Road
Saligramam, Chennai 600 093

- 4.K.Bappaiah
- 5.Sathasivam
- 6.Sri Mukund Vijayan
- 7.Sri Tarun Kumar

: Respondents

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CRP Nos.1979 and 1987 of 2025

Prayer: CRP No.1979 of 2025 filed under Article 227 of the Constitution of India against the order dated 27.09.2024 by the Recovery Officer, Debts Recovery Tribunal II, Chennai in TRC.No.1319 of 2022 (DRC No.104/2018 DRT-I CHENNAI) in OA No.29/2016 (DRT-I Chennai)

CRP No.1987 of 2025 filed under Article 227 of the Constitution of India against the order dated 27.09.2024 by the Recovery Officer, Debts Recovery Tribunal II, Chennai in TRC.No.1319 of 2022 (DRC No.104/2018 DRT-I CHENNAI) in OA No.29/2016 (DRT-I Chennai)

For Petitioner : Mr.V.Prakash,
Senior counsel,
for Ms.Shubharanjani Ananth

For Respondents : Mr.Srinath Sridevan,
Senior Counsel,
for Ms.A.Sella Visalakshi

COMMON ORDER

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

The order dated 27.09.2024, passed by the Recovery Officer, Debts Recovery Tribunal II, Chennai, is assailed before this Court.

2. Even though there exists an alternative remedy of filing an appeal, mainly on the ground that proper opportunity of hearing was not afforded, petitioner has approached this Court. The document which has been filed by the petitioner shows that the next date of hearing was noted by C.D. (certificate debtor).



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3. Learned Senior Counsel for the petitioner however raised a factual dispute by submitting that above the signature of the Recovery Officer, some entries were made.

4. The matter requires inquiry into the factual dispute. We are of the view that as there exists an alternative remedy before the appellate authority, it would be proper that the petitioner approaches the appellate authority seeking inquiry into the factual aspects of the matter. Therefore, these petitions stand dismissed with liberty to approach the appellate authority. There will be no order as to costs. Consequently, CMP Nos.11382 and 11436 of 2025 are closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ.) (G.ARUL MURUGAN, J.)
28.11.2025

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

The Recovery Officer,
Debts Recovery Tribunal II, Chennai

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THE HON'BLE CHIEF JUSTICE
AND

G.ARUL MURUGAN, J.

(tar)

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