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C.R.P.No.3739 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

C.R.P.No.3739 of 2024

&

C.M.P.No.20343 of 2024

K.Rajarajan

..

Petitioner

Vs.

1. The Authorised Officer
Indian Overseas Bank
Asset Recovery Management Branch
Having Office at 3rd Floor
Central Office Annex Building
763, Anna Salai
Chennai 600 002.

2. Dr.K.Saravanan

3. Dr.S.Kavitha

..

Respondents

Prayer : Petition filed under Article 227 of the Constitution of India
against the order dated 21.12.2022 passed in S.A.No.334 of 2022
on the file of Debts Recovery Tribunal-I, Chennai.



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For Petitioner : Mr.V.Raghavachari
Senior Counsel
For Mr.M.Manimaran

For Respondents : Mr.M.L.Ganesh
for Respondent-1

Mr.D.Senthur Kugan
for Respondents 2 & 3

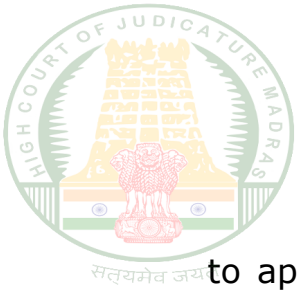
ORDER

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

The grounds, which have been urged before us, fall short of any material to substantiate the allegation that the impugned order was passed by the Debts Recovery Tribunal without affording any opportunity of hearing.

2. Submission that without making proper enquiry and obtaining proper reports, the impugned order was passed, is essentially in the realm of challenge to an order on the ground of illegality.

3. Petitioner has an effective and alternative statutory remedy



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to approach the Debt Recovery Appellate Tribunal raising all these grounds.

4. Therefore, we are not inclined to entertain this petition and dismiss the same with liberty to petitioner to approach the Debt Recovery Appellate Tribunal. Taking into consideration that this petition was filed before this Court on 08.07.2024, the period from that date till the date of this order shall be excluded for the purpose of counting the period of limitation. There shall be no order as to costs. Consequently, the interim application is also dismissed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
01.09.2025

Index : Yes/No
Neutral Citation : Yes/No
kpl

To
The Authorised Officer
Indian Overseas Bank
Asset Recovery Management Branch
Having Office at 3rd Floor
Central Office Annex Building
763, Anna Salai, Chennai 600 002.



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(kpl)

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