



WEB COPY



W.P. No.26064 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.No.26064 of 2025

N.Maheshkumar
S/o.Nanjundappan
No. 85, Thiru Vi Ka Street,
Punchaipuliyampatti,
Erode 638 459.

Petitioner

Vs

1.Eric Stephen
Managing Director
M/s. Hotel Riga Residency
"KARLOVNA"
No. 15 Appleby Road, Wellington,
The Nilgiris 643 232.

2.UCO Bank
Rep. by Authorised Officer,
Coonor Branch YMCA Corner,
Mount Road, Coonoor,
Nilgiris 643 101.



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3.The Registrar

Debts Recovery Appellate Tribunal,
Shastri Bhawan, Haddows Road,
Chennai-600 006

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 3rd respondent to dispose of the Appeal pending on the file of the 3rd respondent in AIR No. 1182/2024 within a time frame as may be fixed by this Court.

For Petitioner: Mr.J.Pothiraj

ORDER

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

Relying upon the authoritative pronouncement of this Court in the cases of (i) *M/s.Velar Engineering Works Private Limited, Karambakkam, Sriperumbudur Taluk v. The Authoised Officer/Chief Manager, Indian Bank, Circle Office, Kanchipuram and others [CRP (NPD) Nos.3785 to 3587 of 2012 and W.P.No.31251 of 2018, dated 05.09.2019]* and (ii) *Central Bank of India, Asset Recovery Branch, Egmore, Chennai v. The Registrar, DRAT, Chennai and others [W.P.No.10053 of 2019, dated 26.07.2019]*, it has been argued that Debts Recovery Tribunal had no jurisdiction to entertain the application filed beyond the period of 45 days of limitation as prescribed under



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Section 17(1) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

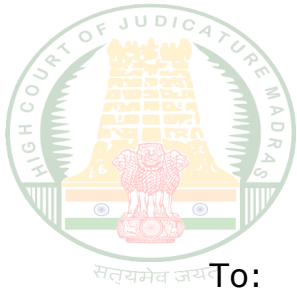
2. Taking into consideration the aforesaid aspects of the matter and as this appears to be the main ground of challenge in the appeal which is pending consideration before the Debt Recovery Appellate Tribunal (DRAT), we direct that the appeal of the petitioner be decided by the DRAT on the next date of hearing without granting any adjournment to the parties.

3. We clarify that we have not expressed any opinion on the merits of the case.

4. Writ petition is, accordingly, disposed of. There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (SUNDER MOHAN,J)
25.07.2025

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

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THE HON'BLE CHIEF JUSTICE
AND
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