



WEB COPY



C.R.P.No.4352 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2025

CORAM :

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

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

C.R.P.No.4352 of 2024
and CMP No.24233 of 2024

1.Dinesh Kumar Jain
2.S.Gnanavadivu

.. Petitioners

Vs

1.N.Ramesh
2.The Authorised Officer,
Indian Bank,
T.K.M. Complex, Katpadi Road,
Vellore-632 004.

3.M/s.K.Abdul Azeez Son & Co.
Represented by its Managing Director Iqbal Ahmed,
No.4, Big Alipuran Street,
Vellore-632 004

.. Respondents

Prayer : Petition under Article 227 of the Constitution of India to set aside the order dated 28.06.2024 in NDN.1666/2023 (now numbered as T.S.A.2 of 2024) on the file DRT-II, Chennai, as not maintainable in law and facts and thus render justice.



C.R.P.No.4352 of 2024

WEB COPY

For Petitioners : Mr.E.Omprakash
Senior Advocate
for Ramalingam and Associates

For Respondents : Mr.CKM.Appaji
for R1
Mr.Kailash Pandiane
for M/s. Aiyar & Dolia
for R2
Not ready in notice reg R3

ORDER

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

After the petition was heard for some time, without going into the merits of the matter, we pass the following order:

- a) The impugned order dated 28.06.2024 is quashed and set aside;
- b) The Debts Recovery Tribunal (in short 'the DRT') shall hear the condone delay application first, after considering the counter filed by petitioner, as well as the bank, which is respondent No.1 before the DRT; and



WEB COPY



C.R.P.No.4352 of 2024

c) The DRT shall dispose the condonation of delay application after hearing the parties and pass a reasoned order.

2. Petition is disposed of. There shall be no order as to costs. Consequently, interim application stands closed.

3. We clarify that we have not made any observations on the merits of the matter.

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

(MOHAMMED SHAFFIQ.J.)

05.03.2025

Index : Yes/No
NC : Yes/No
mrn

To:
The Authorised Officer,
Indian Bank,
T.K.M. Complex, Katpadi Road,
Vellore-632 004.



WEB COPY



C.R.P.No.4352 of 2024

THE HON'BLE CHIEF JUSTICE
AND
MOHAMMED SHAFFIQ, J.

(mrn)

C.R.P.No.4352 of 2024

05.03.2025