



W.P.No.31796 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2025

CORAM :

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

AND

THE HON'BLE MR. JUSTICE SENTHIL KUMARRAMAMOORTHY

W.P.No.31796 of 2019

and W.M.P.No.32033 of 2019

M.J.Dhandapani

... Petitioner

-VS-

1. The Chairperson,
Debt Recovery Appellate Tribunal,
4th Floor, Indian Bank Circle Office,
No.55, Ethiraj Salai, Chennai,
Tamilnadu 600 008.
2. Assistant General Manager cum
The Authorised Officer,
State Bank of India, SME Chennai Branch,
No.39, Prasanth Real Gold Tower,
6th Floor, North Usman Road,
T.Nagar, Chennai 600 017.
3. M/s.Ganga Foundations Pvt. Ltd.,
New No.69, (Old No.33),
Hemavathy Complex,
Paper Mills Road, Perambur,
Chennai 600 011.

... Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus to call for the records in Appeal No.AIR 518 of 2018 and to quash the Order dated 29.11.2018 passed by the First Respondent dismissing Appeal No.AIR 518 of 2018 directing the first respondent and remand Appeal No.AIR (SA) 518 of 2018 to the First Respondent for fresh disposal.

For Petitioner : Mr.P.J.George
For Respondents : R-1 Tribunal
: Mr.K.Chandrasekar
for R-2
: Not ready in notice reg. R-3

* * * * *

ORDER

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

The petition impugns an order dated 29.11.2018 passed by first respondent. By the impugned order, the Debts Recovery Appellate Tribunal has rejected an application filed for review of order dated 15.11.2018.

2. But the submissions made in the Court are on the merits of the matter as to whether petitioner was a borrower, which submissions are way



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beyond the scope of the petition itself. By the order dated 15.11.2018, the Debts Recovery Appellate Tribunal only stated that petitioner should pay the deficit Court fees through on-line only and to file waiver application also.

3. Sri.George says the entire Court fees has been paid, which, according to him, is payable.

Since the order dated 15.11.2018 is not challenged, petition is dismissed. All rights and contentions are kept open. There shall be no order as to costs. Consequently, interim application also stands dismissed.

(K.R.SHRIRAM., CJ.)

(SENTHILKUMARRAMAMOORTHY, J.)

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Index : Yes/No

NC : Yes/No

sra



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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

(sra)

To:

1. The Chairperson,
Debt Recovery Appellate Tribunal,
4th Floor, Indian Bank Circle Office,
No.55, Ethiraj Salai, Chennai,
Tamilnadu 600 008.
2. The Assistant General Manager cum
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