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W.P.No.35021 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2025

CORAM :

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

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.35021 of 2019

G.Jagannathan,
Partner, Alpride Medics,
Plot No.22, Door No.5, New Colony,
Pallikaranai,
Chennai-601 302.

.. Petitioner

vs

The Authorised Officer,
South Indian Bank,
Regional Office,
Niagara Apartments,
No.1, Sterling Road,
Nungambakkam,
Chennai-600 034.

.. Respondent

Prayer : Petition under Article 226 of the Constitution of India seeking issuance of a writ of certiorari calling for the records relating to order dated 12.6.2018 made in I.A.o.306 of 2018 in AIR (SA) No.64 of 2018 on the file of the Debts Recovery Appellate Tribunal, Chennai and quash the order dated 12.6.2018 made in I.A.No.306 of 2018 in AIR (SA) No.64 of 2018 on the file of DRAT, Chennai.



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For Petitioner : Mr.V.R.Kamalanathan

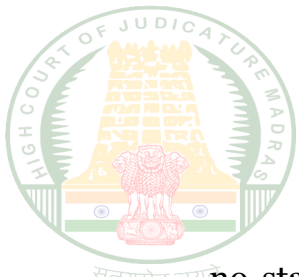
For Respondent : Mr.C.S.Sashikumar
for Mr.M.L.Ganesh

ORDER

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

The petition has become infructuous, inasmuch as petitioner is impugning an order passed by the Debt Recovery Appellate Tribunal on 12th June, 2018, by which, petitioner was directed to make a pre-deposit of Rs.50.00 lakhs. Rs.50.00 lakhs was to be deposited in two tranches, Rs.25.00 lakhs within four weeks from the date of the order and the balance Rs.25.00 lakhs within four weeks thereafter. The impugned order states on the failure in complying with the order of pre-deposit, the appeal would stand dismissed automatically for want of mandatory compliance. The eight weeks period expired in August, 2018.

2. Though notice was directed to be issued on 18th December, 2019,



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no stay was granted. The stay having not been granted, the appeal itself would have got dismissed due to non-compliance.

3. In the circumstances, petition does not survive. Petition is disposed of. There shall be no order as to costs.

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

(MOHAMMED SHAFFIQ J.)

26.02.2025

Index : Yes/No
NC : Yes/No
bbr/mka

To

The Authorised Officer,
South Indian Bank,
Regional Office,
Niagara Apartments,
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Chennai-600 034.



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

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