



WP No.48034 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.48034 of 2025
and WMP Nos.53648 and 53650 of 2025

R.P.K.Jeyakumar

.. Petitioner

-vs-

1. The Authorised Officer,
Axis Bank, Arcot Plaza,
Old No.38, New No.165,
Arcot Road, Kodambakkam,
Chennai 600 024.

2. State Rep. By
The Inspector of Police,
K-11, CMBT, Koyembedu Police
Station, Koyembedu, Chennai 600 107.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records pursuant to the order dated 03.09.2025 in I.A.No.751/2025 in AIR (SA) No.715/2025 passed by Debt Recovery Appellate Tribunal, Chennai and quash the same as illegal, incompetent and wholly without jurisdiction and direct the 1st respondent bank to restore the possession of the property of the petitioner all the part and parcel of



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the land with building situated at registration District of Chennai and Sub-registration District of Anna Nagar situated at village No.106, Koyambedu grama Natham, Plot No.21, in Kanagasabai Colony, Koyambedu comprised in S.No.121 measuring an extent of 2400 sq.ft. And a building constructed 1841 sq.ft. And bounded on the North by: Plot No.2 belongs to U.Sadasivam, South by: Yadaval Street, East by: Plot No.22 and West by: Plot No.20, the plot situated in Kanagasabai Colony, Koyambedu Panchayat and Villivakkam Panchayat Union, measuring east to west northern side; 40 feet, east to west southern side:40 feet, North to south eastern side: 60 feet and North to south western side: 60 feet, the secured asset is lying within limits of K11 C.M.B.T. Police Station.

For Petitioner : Mr.T.Pon Suyambu Vinayaham
For Respondents : Mr.R.Sreedhar, for R-1
: Mr.S.Vinoth Kumar
Govt. Advocate (Crl.Side), for R-2

* * * * *

ORDER

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

This petition has been filed by the petitioner aggrieved by the order passed by the Debt Recovery Appellate Tribunal, whereby, on the ground of failure on the part of the petitioner to make pre-deposit, the appeal has been dismissed without going into the merits.

2. Learned counsel for the petitioner submits that he had already made a substantial deposit of Rs.10,00,000/- earlier before the Debts



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Recovery Tribunal and was required to pay Rs.13 lakhs and odd, which would make 25% of the pre-deposit as ordered by the Debt Recovery Appellate Tribunal. He would submit that for the reasons beyond his control, it could not be deposited and the waiver application was rejected. However, now the petitioner is willing to deposit the balance amount of pre-deposit being Rs.13,97,869/- within one month.

3. Having considered the submission, we order that in case the petitioner deposits the balance amount of Rs.13,97,869/- on or before 05.01.2026, the Debt Recovery Appellate Tribunal shall revive the proceedings and decide the same on its own merits.

Petition is disposed of. There shall be no order as to costs. Consequently, the interim applications stand closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ.) (G.ARUL MURUGAN, J.)
18.12.2025

Index : Yes/No
Neutral Citation : Yes/No

sra



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

(sra)

To

1. The Authorised Officer,
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