



W.P.(MD)No.5175 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.5175 of 2025

and

WMP (MD) No.3784 of 2025

Suseela

: Petitioner

Vs.

1. The Joint Director,
Reserve Bank of India,
No.16, Rajaji Road,
Fort Glacis,
Chennai – 600 001.

2. The Repatriates Cooperative Finance and
Development Bank Limited, (REPCO Bank),
Rep. by its Authorised Signatory,
No.33, North Usman Road,
T.Nagar, Chennai – 600 017.

3. The Branch Manager,
REPCO Bank,
Plot No.1, D.No.129/1A-1C,
Lakshmi Colony, Madurai Road,
Virudhunagar District.

: Respondents



W.P.(MD)No.5175 of 2025

WEB COPY

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the 3rd respondent and his men from taking any coercive action with regard to the petitioners dwelling house and its property situated at Survey No. 5 - Patta No. 265, Puliyanakulam Village, Virudhunagar Taluk and District until final disposal of the Arbitration case in ARC No. 146 of 2023 filed by the 2nd respondent pending before Arbitration Centre, III Floor, No. 55, IV, Main Road, (Ramachandra Adhithanar Street), Gandhi Nagar, Adayar, Chennai - 600 020.

For Petitioner : Mr. R. Murugappan

For Respondents : Mr.N.Dilip Kumar
for R2 and R3

ORDER

This writ petition has been filed seeking a Writ of Mandamus, forbearing the third respondent and his men from taking any coercive action against the petitioner's dwelling house and the property situated at Survey No.5, Patta No. 265, Puliyanakulam Village, Virudhunagar Taluk and District, until final disposal of the Arbitration case in ARC No. 146 of 2023 filed by the second respondent.



W.P.(MD)No.5175 of 2025

WEB COPY

2. Heard the learned counsel for the petitioner and the learned counsel, who accepts notice on behalf of the respondents 2 and 3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The learned counsel for the petitioner submits that, although an arbitration proceedings in ARC No. 146 of 2023 are still pending with respect to the subject property, the respondent bank officials have been repeatedly harassing the petitioner in a manner that is in direct contravention of the ongoing arbitration process. The petitioner contends that such action by the bank officials are not only undermining the integrity of the arbitration proceedings but are also violating the guidelines set forth by the Reserve Bank of India.

4. In response, the learned counsel appearing on behalf of the respondents 2 and 3 submitted that the allegations made by the petitioner regarding harassment by the bank officials are unfounded and without merit. The arbitration proceedings in ARC No. 146 of 2023 is currently pending before the Tribunal. Since the matter is under active consideration by the Tribunal and the orders have been reserved, the



W.P.(MD)No.5175 of 2025

WEB COPY

learned counsel requested this Court to direct the Tribunal to expedite the disposal of the case within a specified time frame.

5. Considering the facts and circumstances of the case and also taking note of the fact that the orders in the arbitration case have already been reserved, without going into the merits of the matter, this Court directs the concerned tribunal to dispose of the arbitration proceedings in ARC No. 146 of 2023, within a period of one month from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

26.02.2025

Index : Yes / No

Internet : Yes / No

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W.P.(MD)No.5175 of 2025

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VIVEK KUMAR SINGH, J.

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