



W.P.No.8518 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2026

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE N. SENTHILKUMAR

W.P.No.8518 of 2026

Ramathal .. Petitioner

Vs.

1. The Authorized Officer
State Bank of India, SME Branch
P.No.Road, 54, First Floor
Uthukulli Road, Tiruppur – 641 601.

2. M/s. Win Apparels
Rep. By its Proprietrix, R.Sridevi
No.1, Poonthottam, Avinashi Road
Tiruppur – 641 603.

3. Shanmugavaidu .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking a writ of certiorarified mandamus, calling for the records pertaining to the impugned order dated 29.04.2024 passed by the Debt Recovery Appellate Tribunal, Chennai in AIR(SA)196/2022 and to quash the same and consequently direct the DRAT to number the second appeal and decide the case on merits.

For the Petitioner : Mr.R.Thirumoorthy

For the Respondents : Mr.R.Sreedhar
Standing Counsel



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for R1

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ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

This writ petition has been filed seeking a writ of certiorarified mandamus, calling for the records pertaining to the impugned order dated 29.04.2024 passed by the Debt Recovery Appellate Tribunal, Chennai in AIR(SA) 196 of 2022 and to quash the same and consequently direct the Debt Recovery Appellate Tribunal to number the second appeal and decide the case on merits.

2. Under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002¹, an appeal has been filed in MA(SA) 25 of 2021 against I.A.No.810 of 2015 in S.A.No.234 of 2015 on the file of the Debts Recovery Tribunal, Coimbatore, where a conditional order has been passed, which has not been complied with. Under the similar circumstances, the petitioner filed a writ petition in W.P.No.1218 of 2020, where also, a conditional order has been passed on 21.01.2021 by this Court, which also has not been complied with. On the date of hearing before the Debt Recovery Appellate Tribunal on 19.07.2021, none appeared for the petitioner before the Court.

¹ In short, hereinafter referred as "SARFAESI Act of 2002".



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3. Therefore, the Debt Recovery Appellate Tribunal, by the order dated 29.04.2024, has rejected the appeal in AIR(SA) 196 of 2022 arising out of S.A.No.234 of 2015 on the file of the Debts Recovery Tribunal, Coimbatore. As against which only the present writ petition has been filed.

4. We have heard *Mr.R.Thirumoorthy*, learned counsel for the petitioner and *Mr.R.Sreedhar*, learned Standing Counsel for the first respondent.

5. The SARFAESI appeal was filed before the Debts Recovery Tribunal and as against the same, she filed an appeal before the Debt Recovery Appellate Tribunal, where also, as we have stated *supra*, none of the conditional orders have been complied with. When that being so, no indulgence could be shown, including the Debts Recovery Appellate Tribunal, which has rightly rejected her plea, that is AIR(SA) 196 of 2022, by the impugned order dated 29.04.2024, which in our considered view, cannot be successfully assailed.



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6. Therefore, this writ petition is devoid of merits and accordingly, it is dismissed. However, this dismissal would not preclude the petitioner from approaching the Debt Recovery Appellate Tribunal once again by depositing the entire due before the Debt Recovery Appellate Tribunal as a one time measure, seeking some relief from the Debt Recovery Appellate Tribunal, including the relief of One Time Settlement (OTS), if it is agreeable to the respondent secured creditor.

7. With this liberty, the writ petition is dismissed. However, there shall be no order as to costs.

(R.S.K., J.) (N.S., J.)
23.03.2026

Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
Internet:Yes/No
Index:Yes/No

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To:

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State Bank of India, SME Branch
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2. The Debt Recovery Appellate Tribunal, Chennai.



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R. SURESH KUMAR, J.
AND
N. SENTHILKUMAR, J.

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