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W.P.No.16125 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2026

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.P.No.16125 of 2026

1. R.Srinivasan
2. Ramadoss
3. R.Ramamurthy

..Petitioner(s)

Vs

ICICI Bank Ltd
No.1, Cenotoph Road, Teynampet Branch
Chennai-600 018, IFSC CODE-ICIC0007872.

..Respondent(s)

calling for the records pertaining to the impugned sale notice in T.R.C.No.733 of 2023 dated 22.01.2026 issued by the Recovering officer and the consequential auction sale conducted on 02.03.2026, and quash the same as illegal, arbitrary, contrary.

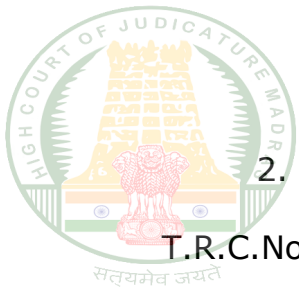
For Petitioner(s): Ms.A.Anuradha

For Respondent(s): Mr.Nithyaesh Nataraj
& Mr. Vaibhav R.Venkatesan

ORDER

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

The prayer sought herein is for a writ of certiorari, calling for the records pertaining to the impugned sale notice in T.R.C.No.733 of 2023 dated 22.01.2026 issued by the Recovery Officer and the consequential auction sale conducted on 02.03.2026 and quash the same as illegal, arbitrary and contrary.

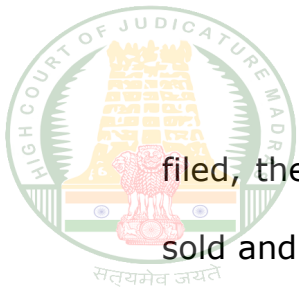


2. The petitioners though question the impugned sale notice in T.R.C.No.733 of 2023 dated 22.01.2026 issued by the Recovery Officer

and the consequential auction sale conducted on 02.03.2026, when we asked specifically to *Ms.A.Anuradha*, learned counsel for the petitioners, as to why the petitioners should not approach the Debts Recovery Tribunal, she replied stating that, they have already filed an appeal in Appeal Dairy No.923 of 2026 against the Recovery Officer's order dated 22.01.2026 before the Debts Recovery Tribunal - III, Chennai and the Debts Recovery Tribunal - III, Chennai, has put a condition to pay 50% of the due as a condition precedent to entertain the appeal.

3. Since the decreed amount itself is Rs.3,85,00,220/-, subsequently, interest had been added till date and it comes to Rs.4,89,77,226.79/-, therefore, the 50% directed to be paid out of the total amount of Rs.4,89,77,226.79/- since is a huge sum and the same cannot be mobilised immediately, to reduce the same, only for the limited purpose, the petitioners have approached this Court by filing the present writ petition, she contended.

4. Heard *Mr.Nithyaesh Natraj*, learned counsel for the respondent/secured creditor, who would submit that, as on date, the due is Rs.4,89,77,226.79/-, therefore, out of which, if 50% is paid, the appeal would be entertained by the Debts Recovery Tribunal. Without paying the said amount as a condition precedent, since the present writ petition is



filed, the same need not be entertained and also, the property has been sold and the sale certificate has been registered, he contended.

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5. We have considered the said submissions made by the learned counsel appearing for both sides.

6. Insofar as the right of appeal to be preferred before the Debts Recovery Tribunal is concerned, that has been properly exercised by the present petitioners, however, since a conditional order has been passed by the Debts Recovery Tribunal to deposit 50% of the total due, that is 50% of Rs.4,89,77,226.79/-, that seems to be on the higher side, because, that much of amount could not be mobilised even to make a payment as a condition precedent to get the appeal numbered. However, the decree was only for Rs.3,85,00,220/- alone. When that being the position, to strike out a balance between both the parties, we are inclined to pass the following orders:

(i) That, if the petitioners could come forward to deposit 50% of the decreed amount, that is 50% of Rs.3,85,00,220/- and the same is deposited within a timeframe to be stipulated by this Court, we feel that the Debts Recovery Tribunal - III, Chennai, could be directed to entertain the appeal. In that view of the matter, the following orders are passed:

(a) That, there shall be a direction to the writ petitioners to deposit 50% of Rs.3,85,00,220/- within a period of one month,



that is within thirty days, from the date of receipt of a copy of this order on the file of the Debts Recovery Tribunal - III, Chennai, in Appeal Dairy No.923 of 2026.

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(b) On such payment being made, the Debts Recovery Tribunal - III, Chennai, shall process the said Appeal Dairy No.923 of 2026, if it is otherwise in order, and proceed with the same on merits and in accordance with law.

(c) If no such amount is deposited as indicated above, it is open to the Debts Recovery Tribunal - III, Chennai, to reject the said appeal in Appeal Dairy No.923 of 2026 at the numbering stage itself.

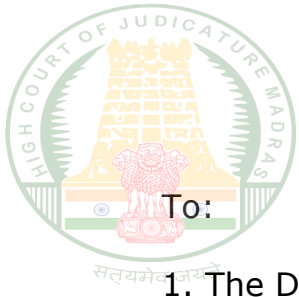
7. With these directions, the writ petition is disposed of. No costs. Consequently, W.M.P.No.17355 of 2026 is closed. W.M.P.No.17354 of 2026, petition filed to permit the petitioners to file a single writ petition, stands orders, inasmuch as the petitioners have paid separate set of court fees.

(R.S.K.,J.) (N.S.,J.)
28-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Note: Issue order copy on 29.04.2026.

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W.P.No.16125 of 20



To:

1. The Debts Recovery Tribunal – III, Chennai.

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

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