



WEB COPY

W.P.No.7109 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR JUSTICE R.SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.P.No.7109 of 2026

and

W.M.P.No.7724 of 2026

1. M/s.ASHOK WOOD WORKS,
A Partnership Firm,
Rep. by its Partners,
Mohan N.Patel,
Door No.46/4A, Bye Pass Road,
Ariyamangalam, Trichy 620 010.
2. M/s.Ashok Saw Mill,
A Partnership Firm,
Rep. by its Partners,
Harish N.Patel,
Door No.14, SIDCO Industrial Estate,
Tiruverumbur, Trichy- 620 010.

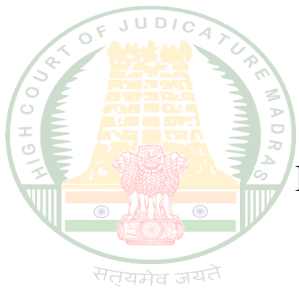
..Petitioners

Vs

Indian Overseas Bank
Trichy Main Branch,
144 West Boulevard Road,
Trichy, Trichy District,
Rep. by its Chief Manager.

..Respondent

PRAYER : Petition filed under Section 226 of the Constitution of India, calling for the records relating to the order dated 18.09.2025 passed by the Hon'ble DRAT, Chennai, in M.A.No.16 of 2021 and quash the same, and consequently, direct the Debts Recovery Appellate Tribunal Chennai to recall the order dated 04.09.2018 passed by the Debts Recovery Tribunal, Madurai, in I.A.No.93 of 2014, restoring I.A.No.30 of 2007 for disposal on merits.



For Petitioners : Mr.S.Sethuraman

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ORDER

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

The present writ petition has been filed against the order passed by the Debts Recovery Appellate Tribunal, Chennai in M.A.No.16 of 2021 which arises out of I.A.No.93 of 2014 in I.A.No.30 of 2007 in T.A.No.688 of 2007 on the file of the Debts Recovery Tribunal, Madurai.

2. Before the Debts Recovery Tribunal, Madurai, I.A.No.93 of 2014 was filed under Section 19(25) of RDDBFI Act to restore I.A.No.30 of 2007 which was dismissed for non-prosecution on 13.12.2007. The prayer sought for in the said I.A.No.30 of 2007 was to make a claim of a sum of Rs.1,71,00,000/- by way of set off against the respondent / Bank. The appellants were set ex-parte in the main application on 26.09.2007 and it was subsequently set aside. The Bank opposes the appeal on the ground that I.A.No.30 of 2007 was dismissed for default in the year 2007 and thereafter, no application was filed and the application was filed to restore I.A.No.30 of 2007 only after a lapse of six years.

3. No reason has been attributed for such six years delay in filing restoration petition either before the Debts Recovery Tribunal or before the Debts Recovery Appellate Tribunal. Therefore, the Debts Recovery Tribunal, Madurai



dismissed the said application, as against which, M.A.No.16 of 2021 was filed before the Debts Recovery Appellate Tribunal. The Debts Recovery Appellate Tribunal also through the impugned order dated 18.09.2025 has dismissed the said M.A.No.16 of 2021 on the same ground that, no reason has been stated for such huge delay of six years in filing the restoration petition itself.

4. Therefore, there was every justification on the part of the Debts Recovery Appellate Tribunal also to dismiss the said M.A.No.16 of 2021 through the impugned order, hence, we do not wish to show any indulgence on the said approach of the Debts Recovery Appellate Tribunal, Chennai in passing the order impugned, hence, this Writ Petition is liable to be dismissed, accordingly, it is dismissed. However, there shall be no order as to costs. Connected miscellaneous petition is closed.

(R.S.K., J.) (N.S.,J .)
01-04-2026
(2/2)

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

To
The Chief Manager,
Indian Overseas Bank
Trichy Main Branch,
144 West Boulevard Road,
Trichy, Trichy District



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W.P.No.7109 of 2



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

vji

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