



W.P(MD)No.14861 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 04.06.2026

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THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P(MD)No.14861 of 2026

and

WMP(MD)Nos.11164 and 11165 of 2026

M/s.DD Agency,
Represented by its Partner,
Mr.Roch John Bosco,
2-86 N, 2-86 O Alsifa Complex,
Kaliyakkavilai,
Kanyakumari - 629 153.

... Petitioner

Vs.

1. The Chairperson,
Debt Recovery Appellate Tribunal,
Chennai.

2. The Presiding Officer,
Debt Recovery Tribunal,
Madurai.

3. M/s. The Canara Bank,
Represented by its Authorized Officer,
Nagercoil Meenakshipuram Branch,
Nagercoil,
Kanyakumari District.

4. M/s.RND Developers Private Limited,
6-93, Kanavoor, Udayamarthandam Post,
Balapallam,
Tamil Nadu - 629 178.

... Respondents



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PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order dated 12.05.2026 made in MA(SA)No.35 of 2026 on the file of the Debt Recovery Appellate Tribunal, Chennai, and quash the same and consequently direct the 1st respondent to take the appeal in MA(SA)No.35 of 2026 on file and decide the same on merits and in accordance with law within the time frame fixed by this Court.

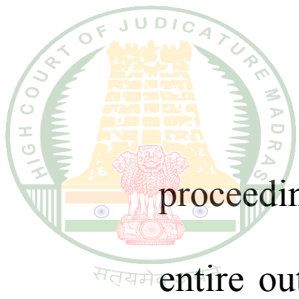
For Petitioner	: Mr.G.Mohankumar
For R1 & R2	: Mr.K.Govindarajan Deputy Solicitor General of India
For R3	: Mr.C.Deepak

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

Challenging the order of the Debt Recovery Appellate Tribunal in dismissing the appeal filed by the petitioner, this writ petition has been filed.

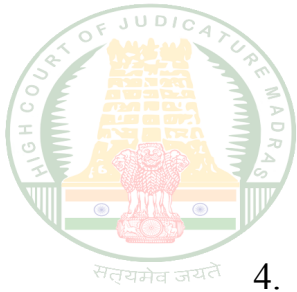
2. Originally, the petitioner filed S.A.No.223/2026 before the Debts Recovery Tribunal, Madurai, challenging the sale notice in respect of the immovable properties on various grounds. In the interim application in I.A.No. 997/2026 in S.A.No.223/2026, the DRT granted conditional stay of further



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proceedings pursuant to the sale notice dated 19.01.2026 subject to payment of entire outstanding amount in instalments. Challenging the said interim order, the petitioner filed appeal before the Debt Recovery Appellate Tribunal, Chennai, in RA(SA)No.35/2026. The DRAT having found that sale is already over and third party interest is created, by order dated 10.04.2026, directed the petitioner to deposit a sum of Rs.40,53,212.85p in two equal instalments that is, on or before 24.04.2026 and 08.05.2026 respectively, and entertained the appeal. Pursuant to such direction, the petitioner also has made payments as directed by DRAT. Later, instead of deciding the appeal on merits, the DRAT by order dated 12.05.2026, has rejected the appeal stating that the sale is already over, hence, the DRT has to decide the S.A.No.223/2026.

3. We are of the view that having entertained the appeal with the direction to deposit a substantial amount, the DRAT ought to have decided the appeal on its own merits without directing the DRT to dispose of the matter. Such an order of the DRAT, in our view, is arbitrary. Hence, the order dated 12.05.2026 made in MA(SA)No.35 of 2026 on the file of the Debt Recovery Appellate Tribunal, Chennai, is set aside and the matter is remitted to DRAT to dispose of the appeal on merits within a period of one month from the date of receipt of a copy of this order.



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4. With the above direction, the Writ Petition is allowed. No costs.

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Consequently, connected miscellaneous petitions are closed.

[N.S.K., J.] & [M.J.R., J.]

04.06.2026

Note to Registry : While entertaining the appeal as against the orders of the Debts Recovery Tribunals, Registry is directed to see that Presiding Officers of the Tribunals are not made as parties. It is suffice, the Registrars of the concerned Tribunals may be arrayed as parties for the purpose of service of notice and to call for records.

Index : Yes / No

Neutral Citation : Yes / No

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To

1. The Chairperson,
Debt Recovery Appellate Tribunal,
Chennai.

2. The Presiding Officer,
Debt Recovery Tribunal,
Madurai.

3. The Additional Registrar General,
Madurai Bench of Madras High Court,
Madurai.



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N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.

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ORDER MADE IN
W.P(MD)No.14861 of 2026
DATED : 04.06.2026