

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 08-04-2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P.No.10132 of 2015

and

M.P.No.1 of 2015

S.P.Ellappan
S/o.Panchatchara Mudaliyar
48 Chairman Sambasiva chetty Street
Kancheepuram

...Petitioner

Vs

- 1 The Authorised Officer
Tamilnadu Mercantile Bank
Kancheepuram Branch Kancheepuram.
- 2 S.Elumalai
S/o.Subramania Mudaliar 19-B/2 Lingappan
Palayam Street Pillayarpalayam Kancheepuram
- 3 S.Mugunthan
S/o.K.S.Srinivasan No.13 Vanigar Street
Big Kancheepuram
- 4 K.P.T. Agency
rep. by its Proprietor K.Karthikeyan No.109-
A Erivakkam Village Arakonam Main Road
Kancheepuram

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorari to call for the entire records in respect of the order passed in I.A.No.584 of 2014 in AIR (SA) No.473 of 2013 on the file of the Debts Recovery Appellate Tribunal Chennai dated 11-03-2015 and quash the portion of the order i.e.condition imposed upon the petitioner to deposit of 50% of the amount of

Rs.11,91,694/- mentioned in Section 13(2) notice

For petitioner : Mr. D. Rajagopal

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI,J.)

The learned counsel for the petitioner has made the following endorsement:

"Petitioner may be permitted to withdraw with the liberty for approach the Tribunal for reconsideration of the order passed by the Tribunal."

In view of the above, the writ petition is dismissed as withdrawn, with liberty as aforesaid, if the petitioner, is so advised. No costs. Consequently, the connected miscellaneous petition in M.P.No.1 of 2015 is also dismissed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

glp

To

- 1 The Authorised Officer
Tamilnadu Mercantile Bank
Kancheepuram Branch Kancheepuram
- 2 Debts Recovery Appellate Tribunal,
Chennai.

1 CC to Mr. D. Rajagopal, Advocate SR.No. 19317

CA (CO)
PSI (20.04.2015)

W.P.No.10132 of 2015
and
M.P.No.1 of 2015