

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K.AGNIHOTRI,
AND
THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P.Nos. 31032 & 31688 of 2014

M/s.Weinberger Technologies
Corporation Rep. by its Proprietor
Naveen Rajan, No.15/9 Amudha Street,
Velachery,
Chennai-600 042.

.. Petitioner
(In both W.Ps.)

vs.

- 1 The Presiding Officer,
Debts Recovery Tribunal-I, Chennai.
- 2 The Recovery Officer,
Debts Recovery Tribunal-I , Chennai. ... Respondents 1 & 2
(In both W.Ps.)
- 3 The Lakshmi Vilas Bank Ltd.
Mylapore Branch, No.38 North Mada Street,
Mylapore, Chennai-600 004. ... Respondent No.3
(In WP No.31032/2014)
- 3 The Lakshmi Vilas Bank Ltd.
Mylapore Branch,
rep. By the Authorised Officer,
No.38 North Mada Street,
Mylapore, Chennai-600 004. ... Respondent No.
(In WP No.31688/2014)

Writ Petition in WP No. 31032 of 2014 is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to quash the impugned order passed by the 2nd respondent in D.R.C.No.33/2014AO dated 26.09.2014.

Writ Petition in WP No. 31688 of 2014 is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records on the file of the 3rd respondent - Tender cum Auction Sale Notice dated 26.11.2014 published in the New Indian Express on 26.11.2014 and quash the same.

For Petitioner : Mr. S. Kolandasamy
For Respondents : Mr. A.V.Radhakrishnan - R3

ORDER

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

Challenge in these writ petitions is to the order dated 26.9.2014 passed by the Debt Recovery Tribunal, Chennai. The impugned order is appealable under Section 20 of The Recovery of Debts due to Banks and Financial Institutions Act 1993 to the Appellate Tribunal.

2. In view of that, the petitioner seeks permission to withdraw the writ petitions with liberty to move the Appellate Tribunal within period of one week and makes endorsement to that effect.

3. In view of the above, both the writ petitions are dismissed as withdrawn with liberty to take re-course to the Appellate Tribunal under the provisions of Law. If the appeals are preferred within a period of one week from the date of receipt of a copy of this order, the question of limitation need not be considered by the Appellate Tribunal. Consequently, connected miscellaneous petitions are dismissed. No costs.

Sd/-
Assistant Registrar
Dated:8.1.15

True Copy

Sub Assistant Registrar

To

- 1 The Presiding Officer,
Debts Recovery Tribunal-I, Chennai.
- 2 The Recovery Officer,
Debts Recovery Tribunal-I , Chennai.
- 3 The Lakshmi Vilas Bank Ltd.
Mylapore Branch, No.38 North Mada Street,
Mylapore, Chennai-600 004.

+2 cc to Mr.C.s.Saravanan, Advocate,SR.321, 322

+1 cc to Mr.A.V.Radhakrishnan, Advocate, SR.326.

su(co)
krd 8/1

W.P.Nos.31032 & 31688 of 2014