

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2015

CORAM:

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

W.P. No.22968 of 2015
and
M.P. No.1 of 2015

K. Sivachandar

... Petitioner

vs.

1. The District Collector and
District Magistrate
Erode District, Erode 638 011
2. The Authorised Officer
Chief Manager
State Bank of India
12-A, New Hospital Road
Gobichettipalayam 638 452
Erode District
3. The Tahsildar
Gobichettipalayam Taluk, Erode District
4. The Tahsildar
Bhavani Taluk, Erode District
5. The Deputy Superintendent of Police
Gobichettipalayam Sub-Division
Gobichettipalayam 638 452
Erode District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records relating to the order in Ref: 16284/2014/D2 dated 20.07.2015 passed by the first respondent, quash the same and consequently, direct the respondents to defer their action under Section 14 of the SARFAESI Act, 2002, in view of the lis pending before the Debts Recovery Tribunal, Coimbatore.

For petitioner : Mr. N. Manokaran

For RR 1,3,4 & 5 : Mr. N. Sakthivel
Government Advocate

ORDER

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

The learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with liberty to take recourse to the Debts Recovery Tribunal and has also made an endorsement to that effect as under:

"I may be given liberty to withdraw and move the DRT after getting the order impugned."

2. In view of the above submission and endorsement made by the learned counsel for the petitioner, this writ petition is dismissed as withdrawn, with liberty to prefer an appeal before the Debts Recovery Tribunal, within a period of two weeks from today. It is made clear that status quo, as obtained today, in respect of the property in question, shall be maintained for a period of two weeks, to enable the petitioner to get an interim order in the appeal, if so advised. Costs made easy. Connected Miscellaneous Petition is closed.

Note to Office:

Certified copy of the impugned order be returned to the petitioner, after retaining a photocopy of the same for records.

Sd/-

Assistant Registrar(CS II)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

cad

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To

1. The District Collector and
District Magistrate
Erode District
Erode 638 011
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5. The Deputy Superintendent of Police
Gobichettipalayam Sub-Division
Gobichettipalayam 638 452
Erode District

+1cc to M/s.N.Manokaran, Advocate, S.R.No.38994
+1cc to the Government Pleader, S.R.No.38925

W.P. No.22968 of 2015

VSN(CO)
CA(07/08/2015)

सत्यमेव जयते

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