

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI  
and  
THE HON'BLE MR. JUSTICE K.K. SASIDHARAN

W.P. No. 24166 of 2015

K.R. Sivadeshikan

Petitioner

Vs.

1 Indian Bank  
represented by its Chief Manager/  
Authorised Officer  
R.S. Puram Branch  
R.S. Puram  
Coimbatore

2 The Registrar  
Debts Recovery Tribunal  
Coimbatore

3 K.R.S. Prema

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the second respondent bank not to confirm the sale for a period of three months as a last chance to the petitioner to pay off the debts due to the bank and redeem his property.

For petitioner M/s. K. Jayaganga

सत्यमेव जयते

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, Coimbatore, (for short "the Tribunal") seeking extension of time granted by the Tribunal earlier and has also made an endorsement to that effect as under:

"The petitioner may be permitted to approach the DRT, Coimbatore for extension of time to pay the amounts due to the bank and to withdraw the writ petition."

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the above submission and endorsement made by the learned counsel for the petitioner, this writ petition is dismissed as withdrawn, with liberty as aforesaid, if so advised. We make it clear that if such an application is made by the petitioner, the Tribunal is required to consider the same at the earliest and pass orders sympathetically and in accordance with law, keeping in view, the merits of the case. Costs made easy.

cad

s/d-  
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Chief Manager/  
Indian Bank  
Authorised Officer  
R.S. Puram Branch  
R.S. Puram  
Coimbatore

2. The Registrar,  
The Debt Recovery Tribunal,  
Coimbatore.

+ 1 cc to M/s.K.Jayaganga, Advocate SR 40576

bvr(co)  
prk6/8

W.P. No.24166 of 2015

सत्यमेव जयते

WEB COPY