

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2015

CORAM:

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

W.P. No. 27517 of 2015

B. Mohan Reddy

Petitioner

Vs.

1. The Authorised Officer,
Punjab National Bank,
Vellore and also at
No.46-49 Royapettah High Road,
Chennai 600 014.

2. The Coimbatore Municipal Corporation
rep. By its Commissioner,
Coimbatore.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus forbearing the first respondent from proceeding with the sale of petitioner's valuable properties pertaining to sale notice dated 11.08.2015 proposed to sell in public auction sale on 16.09.2015 or any other subsequent dates, simultaneously not to recover any amount in the hands of the 2nd respondent Corporation to be paid to the petitioner in connection with earlier contract works by invoking the provisions of SARFAESI Act for the recovery of the dues of the petitioner.

For petitioner Mr. G. Jeremiah

ORDER

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

The learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with liberty to approach the appropriate forum and has also made an endorsement to that effect, as under:

" The writ petitioner may be permitted to withdraw with liberty to the petitioner to move the Debts Recovery Tribunal within a period of one week.."

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the above submission and endorsement made by the learned counsel for the petitioner, this writ petition is dismissed as withdrawn, with liberty as aforesaid, if so advised, under the provisions of law. Besides, in the event of the petitioner filing necessary application, within a period of one week from today, the same shall be considered and decided by the appropriate forum for interim relief, if permissible under provisions of law, before the date of auction. No costs. Consequently, connected miscellaneous petition is dismissed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Authorised Officer,
Punjab National Bank,
Vellore and also at
No.46-49 Royapettah High Road,
Chennai 600 014.

2. The Commissioner,
Coimbatore Municipal Corporation
Coimbatore.

+ 1 cc to Mr.G. Jeremiah, Advocate SR. 47615

KK(CO)
Eu 30.09.15

W.P. No. 27517 of 2015

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