

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2015

CORAM:

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

W.P. No.30391 of 2015 and M.P. No.1 of 2015

1 Venkatachalapathi
2 Subramanian
3 Muniappan
4 R. Vanitha
5 Johnson Sports and Wear
No.34, Nathaji Bye Pass Road
Dharmapuri 636 701
6 Johnson Textiles
No.23-B, Nathaji Bye Pass Road
Dharmapuri 636 701
7 Johnson Traders
SF No.116, Annasagaram Road
Bhatrathipuram
Dharmapuri

Petitioners

Vs.

1 The Zonal Manager
Indian Bank, Dharmapuri Branch
D.D.D.C. Building, I Floor
Pennagaram Road
Dharmapuri Town and Taluk
Dharmapuri District
2 The Authorised Officer/Chief Manager
Indian Bank
Dharmapuri Branch
D.D.D.C. Building, I Floor
Pennagaram Road
Dharmapuri Town and Taluk
Dharmapuri District

3 Dhayalan

4 Durairaj

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus to call for the records of the sale notice dated 06.07.2015 issued by the second respondent under the SARFAESI Act and quash the notice and consequently, quash the certificate of sale dated 22.08.2015 issued

by the second respondent in favour of the third respondent also, quash the certificate of sale dated 24.08.2014 issued by the second respondent in favour of the fourth respondent.

For petitioner Mr. S. Jayachandran

ORDER

(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 approach the Debts Recovery Tribunal and has also made an endorsement to that effect as under:

"It is prayed that I may be permit to withdraw the petition with liberty to approach the DRT and thus render justice."

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the above submission and endorsement made by the learned counsel for the petitioner, this writ petition is dismissed as withdrawn, with liberty as aforestated, if so advised, under the provisions of law. In the event of the petitioner preferring an appeal within a period of one week, the same shall be considered by the appellate authority, without reference to limitation. Further, it is made clear that status quo as obtained today, in respect of the property in question, shall be maintained for a period of one week. No costs. Connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

cad

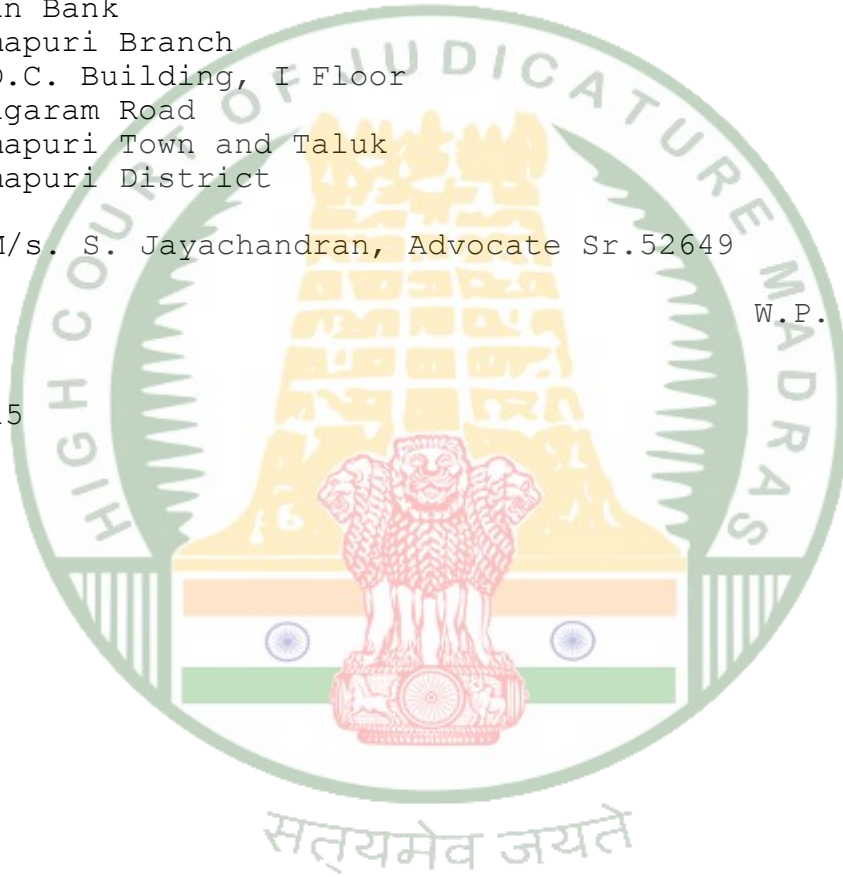
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To

- 1 The Zonal Manager
Indian Bank, Dharmapuri Branch
D.D.D.C. Building, I Floor
Pennagaram Road
Dharmapuri Town and Taluk
Dharmapuri District
 - 2 The Authorised Officer/Chief Manager
Indian Bank
Dharmapuri Branch
D.D.D.C. Building, I Floor
Pennagaram Road
Dharmapuri Town and Taluk
Dharmapuri District
- 1 cc to M/s. S. Jayachandran, Advocate Sr.52649

W.P. No.30391 of 2015

MP (CO)
EU 08.10.15



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