

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2015

CORAM:

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

W.P. No.9958 of 2015 and M.P. No.1 of 2015

1. Sri Devi Hospital
represented by its Managing Director
Dr. K. Senthilnathan
1620 A 16th Main Road
Anna Nagar
Chennai 600 040

2. S. Meena
1620 A 16th Main Road
Anna Nagar
Chennai 600 040

... Petitioners

vs.

1. The Indian Overseas Bank
represented by its
Chairman and Managing Director
No.762 Anna Salai
Chennai 600 002

2. The Indian Overseas Bank
represented by its Branch Manager
Arumbakkam Branch
Old No.539, New No.1063
EVR Periyar Salai
Arumbakkam, Chennai - 600 106

3. The ARCIL
represented by its Managing Director
The Ruby, X Floor
No.29
Senapathi Bapath Marg
Dadar West, Mumbai 28

4. The Registrar
Debts Recovery Tribunal - I
Spencers Tower
Chennai 600 002

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring that the proceedings in O.A. No.288 of 2014 pending on the file of the Debts Recovery Tribunal - I, Chennai, filed by the third respondent herein as not maintainable and without jurisdiction.

For petitioners : Mr. AR.L. Sundaresan, Sr. Counsel
for M/s. S. Pugalenth

For RR 1 & 2 : Mr. F.B. Benjamin George

ORDER

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

The learned counsel for the petitioners seeks permission of this Court to withdraw the writ petition with liberty to raise all the disputes raised in this writ petition before the Debts Recovery Tribunal and he has also made an endorsement to that effect, as under:

"May be permitted to withdraw this w.p. with liberty to raise all the disputes raised in this w.p. before DRT."

2 In view of the above submission and endorsement made by the learned counsel for the petitioners, this writ petition is dismissed as withdrawn with liberty, as aforesaid, if so advised. No costs. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

cad

To

1. The Chairman and Managing Director
Indian Overseas Bank
No.762 Anna Salai
Chennai 600 002
2. The Branch Manager
Indian Overseas Bank
Arumbakkam Branch
Old No.539, New No.1063
EVR Periyar Salai
Arumbakkam
Chennai - 600 106
3. The Managing Director
ARCIL
The Ruby, X Floor
No.29
Senapathi Bapath Marg
Dadar West
Mumbai 28
4. The Registrar
Debts Recovery Tribunal - I
Spencers Tower
Chennai 600 002

+1cc to Mr.S.Pugalenthil, Advocate, S.R.No.19099
+1cc to Mr.E.B.Benjamin George, Advocate, S.R.No.19075

W.P. No.9958 of 2015

SCD(CO)
CA(15/04/2015)

सत्यमेव जयते

WEB COPY