



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20/4/2015

C O R A M

THE HONOURABLE MR.JUSTICE S.MANIKUMAR

a n d

THE HONOURABLE MR. JUSTICE G.CHOCKALINGAM

Writ Petition (MD) No.516 of 2015

and

MP (MD) Nos. 1 & 2 of 2015

N.S.Gnaneswaran

... Petitioner

Vs

1. The Senior Manager
Dena Bank
Madurai Branch
No.67 Kamarajar Salai
Madurai.

2. The Recovery Officer
Debts Recovery Tribunal
3rd and 4th Floor
Kalyani Towers
4/162 Madurai - Melur Road
Uthangudi
Madurai 625 107

3. Thiru.P.Mahalingam

4. Smt.T.E.Sharmila

5. Thiru.T.K.Ramesh Babu

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records relevant to the order in certificates of sale of movable property dated 25/3/2010 and 21/7/2010 passed by the second respondent and quash the same as illegal, improper, arbitrary and against the natural justice and rule of law and thereby direct the first respondent's Bank to receive the balance due amounts pertaining to the petitioner's loan amount in an instalment basis from the petitioner.

For Petitioner ... Mr.M.V.Muralidaran

For Respondents ... Mr.V.Maharajan for R.1.

O R D E R

(Order of the Court was made by S.MANIKUMAR,J)

Mr.M.V.Muralidaran, learned counsel for the petitioner sought for permission to withdraw the writ petition. Permission is granted. The writ petition is dismissed as withdrawn. Though he has sought for liberty to approach the competent authority, we are of the view that if the statute provides for a remedy, it is open to the petitioner to approach the appropriate forum. No leave is required from this Court. No costs. Consequently, the connected Miscellaneous Petitions are also dismissed.

Sd/-
Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Senior Manager
Dena Bank
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Madurai.
2. The Recovery Officer
Debts Recovery Tribunal
3rd and 4th Floor
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Madurai 625 107

+1cc to Mr.M.V.Muralidaran,Advocate, SR.No.19964

+1cc to Mr.V.Maharajan,Advocate, SR.No.20013

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20/4/2015

mvs

PA/29.04.2015/2P/5C