

HONOURABLE SRI JUSTICE RAJA ELANGO

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WRIT PETITION NO:3408 OF 2009

ORDER:

1. This writ petition is filed seeking to declare the action of the respondents in deducting the amounts from the petitioner's S.B. Account, without issuing any notice, as illegal and arbitrary, and consequently, to direct the respondents to reimburse the amounts already deducted from the account of the petitioner.

2. The petitioner, who is a retired supervisor of R & B Department, stood as guarantor for the loan amount of Rs.1,00,000/- borrowed by one P.T. Prasangi from the 1st respondent-Bank. As the borrower died, the 1st respondent started deducting the loan amount from the account of the petitioner at the rate of Rs.3,600/- per month. Hence, he approached this Court.

3. While ordering notice before admission, this Court directed the respondents not to deduct any amounts from the account of the petitioner. On 5.6.2009, the 1st respondent filed vacate stay petition.

4. On 13.3.2015, when the vacate stay petition was listed, the learned Counsel for the writ petitioner sought permission of this Court to withdraw the writ petition. As the learned Counsel appearing for the 1st respondent was absent, the matter was adjourned.

5. Today, when this matter has come up for hearing, the learned Counsel for the respondents did not raise any objection for withdrawal of this writ petition.

6. In view of the above circumstances, permission is accorded to withdraw the writ petition and the Writ Petition is dismissed as withdrawn. Consequently, the interim direction issued by this Court during the pendency of this writ petition, shall stand

vacated and the vacate stay petition shall stand closed. No order as to costs.

Justice Raja Elango

Dated:1.4.2015

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DATE:1.4.2015.

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