

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2016

CORAM:

THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.15749 of 2009

1.M/s.Alwin Leath Exports
9, Kiirdgy Nadga Koil Street,
Chrompet, Chennai 44.
2.M.Md Amanullah
3.A.R.Arumugam
Through his Power of Attorney
A.Ramalingam ... Petitioners

Versus

1.Andhara Bank
Mount Road Branch,
Chennai 2.
2.The Authorised Officer,
Andhara Bank
Mount Road Branch,
Chennai 2.
3.K.Moorthy
4.M.Rakku
5.K.Ibrahim Sait
6.V.Rengasamy ... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Declaration, declaring the proceedings initiated under the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 by the respondents 1 and 2 against the petitioners and 6th respondent which culminated into the issue of Sale Certificate No.2534/07 and 2633/07 dated 26.04.2007 in favour of the respondents 3 to 5 respectively is null and void and further directing the respondents 1 and 2 to return all the documents deposited with the respondents 1st respondent Bank for the purpose of creating equitable mortgage of the credit facilities sanctioned in the nature of open credit.

For Petitioners : Mr.B.Vijay

For Respondents : Mr.R.Gowthama Narayanan for R.1 and R.2
Mr.R.Kannan for R.3 and R.4
Mr.K.Murali for R.5
No appearance for R.6

O R D E R

(The Order of the Court was made by The Hon'ble The Chief Justice)

A misconceived petition with concealed facts! Fortunately to avoid the rigours of the order which we would have passed, learned counsel for the petitioner, on instruction, seeks to withdraw this writ petition. He also made an endorsement.

2. The writ petition accordingly stand dismissed as withdrawn, leaving the parties to bear their own costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ksr

+1cc to Mr.R.Gowthama Narayanan, Advocate, S.R.No.11938

सत्यमेव जयते

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SAI (CO)
CA(04/03/2016)

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