



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. [MD] .No.7997 of 2016

and

W.M.P. (MD) Nos.6551, 6552 and 8866 of 2016

Dr.G.Branesh

: Petitioner

Vs.

1.The Union of India,
Ministry of Human Resources Development,
Department of Higher Education,
New Delhi.

2.The Authorized Officer,
Chief Manager (Advances),
State Bank of Travancore,
Regional Office,
G.K.N.Building,
24, North Car Street,
Nagercoil.

3.The Branch Manager,
State Bank of Travancore,
Irenipuram Branch,
Irenipuram P.O.,
Kanyakumari District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pursuant to the possession notice dated 08.01.2016 under rule 8(1) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and to quash the same with consequential direction to the respondents to permit the petitioner to repay the educational loan in Equated Monthly Installments as per the subsidy norms of the Nationalized banks for Educational Loans.

For Petitioner

: M/s.K.Jenitha

For Respondent No.1

: Mrs.S.Srimathy

For Respondents 2&3

: Mr.Pala Ramasamy

**O R D E R***********

[Order of the Court was made by **R.SUBBIAH, J.**]

The present Writ Petition has been filed challenging the possession notice dated 08.01.2016 issued under Rule 8(1) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and to quash the same.

2. When the Writ Petition was taken up for consideration, the learned Standing Counsel appearing for the bank submitted that now the bank is inclined to withdraw the possession notice dated 08.01.2016. He has also made an endorsement to that effect in the bundle.

3. In view of the endorsement made by the learned Standing Counsel for the Bank, we are of the opinion that nothing survives for adjudication in the Writ Petition. Hence, recording the submission and endorsement so made, the Writ Petition is closed. No costs. Consequently, the connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar(AE)

/True copy/

sub Assistant Registrar/

TO

1. The Union of India,
Ministry of Human Resources Development,
Department of Higher Education,
New Delhi.

+1cc to Mr.Pala Ramasamy Advocate SR No.81671.
+1cc to Mr.S.M.S.JOHNY BASHA Adovocate SR No.81524.

SML

TTN/KSM-SS2/11.01.2017/2P-4C

**Order made in
W.P. [MD] .No.7997 of 2016**

Dated: 19.12.2016