

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2017

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.10761 of 2017 and
W.M.P.Nos. 11698 & 11699 of 2017

1. P.R.Annamalai

2. M/s. Murugan Foundary Private Limited,
Rep. by its Managing Director,
No. 81, Mugapair Road, (Off MTH Road),
Mannurpet, Chennai - 600 050.

.....Petitioners

vs.

1. The Presiding Officer,
Debts Recovery Tribunal - III, Chennai,
No.770A, Mount Road, 4th Floor, Dewa Towers,
Chennai - 600 002.

2. The Authorized Officer,
Indian Bank, Erukancherry Branch,
No.770A, Anna Salai,
Chennai - 600 002.

.....Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Prohibition, prohibiting the 1st respondent from conducting the proceedings in O.A.No.48 of 2009, which was filed by the 2nd respondent since the same is contrary to section 13(10) of the SARFAESI Act and the said proceedings are illegal subsequent to the disposal of the SA.No.151 of 2007 dated 12.09.2012.

For Petitioner .. Mr.K.Manikandan

O R D E R

(The order of the Court was made by S.NAGAMUTHU.,J)

The learned counsel appearing for the petitioner seeks permission of this Court to withdraw this petition and he has also made an endorsement to that effect.

2. In view of the endorsement made by the learned counsel appearing for the petitioner, the writ petition stands dismissed, as withdrawn however, with liberty to the petitioner to work out his remedies before the Debts Recovery Tribunal itself. Consequently, the connected Miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

The Presiding Officer,
Debts Recovery Tribunal - III, Chennai,
No.770A, Mount Road, 4th Floor, Dewa Towers,
Chennai - 600 002.

+1cc to Mr.K.Manikandan, Advocate SR.No.26134

GN(14/07/2017)

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