

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 6/9/2017

C O R A M

THE HONOURABLE MR.JUSTICE S. MANIKUMAR

AND

THE HONOURABLE MS.JUSTICE V. BHAVANI SUBBAROYAN

WRIT PETITION NO.10897 OF 2017

A.V.Jayaraman
Proprietor of Sri Jayalakshmi Modern
Rice Mill
D.No.47-1 Attrupathai Street
Sankarapuram
Villupuram District. Petitioner

Vs

1. The Authorised Officer
Indian Bank
Circle office
AVR Towers, III Floor
No.4 Bharathi Road
Cuddalore 607 001.
2. The Registrar
The Debts Recovery Appellate Tribunal
Ethiraj Salai
Chennai. Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of certiorarified mandamus to call for the records comprised in the proceedings of the Debts Recovery Appellate Tribunal at Chennai, dated 6/4/2017 passed in I.A.No.468 of 2015 in AIR (SA) No.195 of 2013 and quash the same and consequently direct the second respondent to take AIR (SA) No.195 of 2013 on the file without insisting on the payment of pre-deposit as envisaged in Order dated 6/4/2017 in I.A.No.46 of 2015 in AIR (SA) No.195 of 2013.

For Petitioner

... Mr.T.T.Ravichandran

For respondents

... R.1 - No appearance

R.2 - Tribunal

- - - - -

O R D E R

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

This writ petition has been filed praying to quash the order passed by the Debts Recovery Appellate Tribunal at Chennai, dated 6/4/2017, passed in I.A.No.468 of 2015 in AIR (SA) No.195 of 2013 and consequently direct the second respondent, to take AIR (SA) No.195 of 2013, on the file, without insisting on the payment of pre-deposit, as envisaged in Order, dated 6/4/2017, in I.A.No.46 of 2015 in AIR (SA) No.195 of 2013.

2. Learned counsel for the petitioner, seeks permission of this Court, to withdraw the writ petition, subject to the right of liberty, being granted to challenge the sale effected through private treaty and to that effect, he has also made an endorsement to that effect.

3. Placing on record the same, the instant writ petition is dismissed as withdrawn. Liberty is granted as prayed for. No costs. Consequently, the connected Miscellaneous Petition is closed.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

1. The Authorised Officer
Indian Bank, Circle office
AVR Towers, III Floor
No.4 Bharathi Road
Cuddalore 607 001.

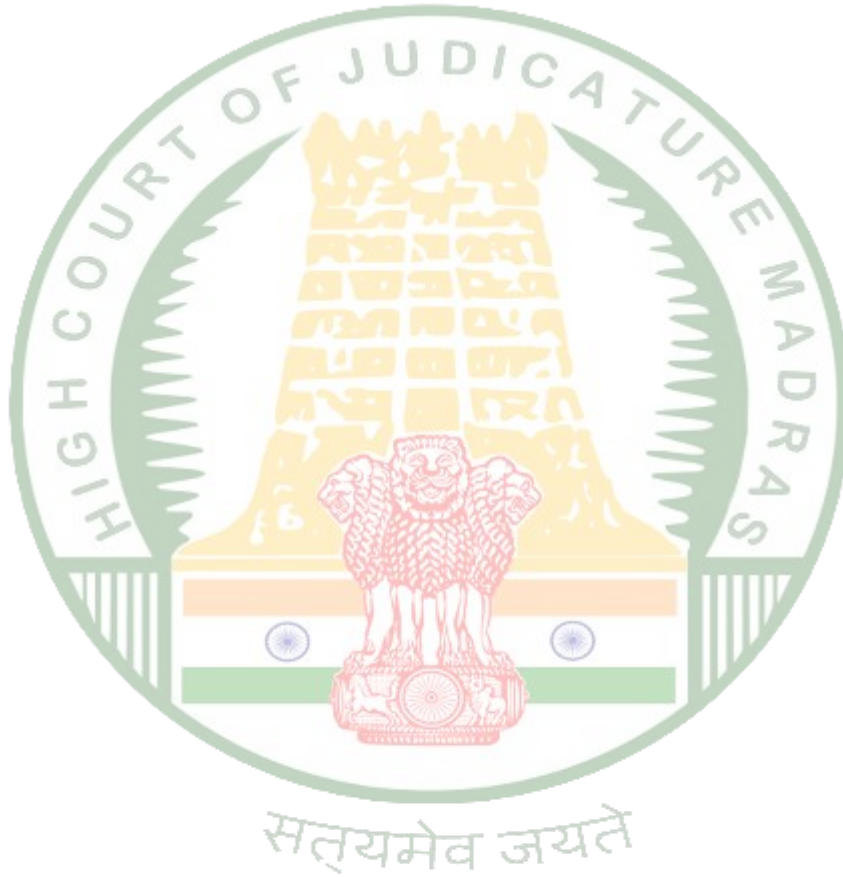
2. The Registrar
The Debts Recovery Appellate Tribunal
Ethiraj Salai, Chennai.

+ 1 cc to Mr.T.T.Ravichandran, Advocate Sr.No.64761

W.P.No.10897 of 2017

CO (CS)

KP (10/10/2017)



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