

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15/2/2017

C O R A M

The Honourable Mr.Justice S.Manikumar
and
The Honourable Mr.Justice M.Govindaraj

Writ Petition No.34698 of 2014

K. Shivakumar

...

Petitioner

Vs

1. Punjab National Bank
rep. By its Chief Manager
Asset Recovery Management Branch
Khivraj Buildings, I Floor
No.624 Anna Salai
Chennai 600 006.

2. The Debts Recovery Tribunal - I
Chennai.

3. The Recovery Officer
Debts Recovery Tribunal No. I
Chennai.

4. Mrs.H.Asiya Bhanu

5. Mr.K.Dhanapal

...

Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of declaration, declaring that the entire process undertaken by the respondent Nos.1, 3, 4 and 5, starting from the alleged equitable mortgage executed by the fourth respondent in favour of the first respondent bank in respect of the property situate at W-27, Block W, Anna Nagar, Chennai 600 040, the recovery certificate issued by the Debts Recovery Tribunal in O.A.No.137 of 2003 and the proceeding in DRC No.119 of 2008, the auction sale of the said property conducted by the third respondent and confirmed in favour of the fifth respondent and all proceedings pursuant to the same including the possession of the fifth respondent of the said property is a nullity and non est in law.

For petitioner ... Mr.P.K.Rajagopal
For respondents ... Mr.MC.Ganesh for R.1
Mrs.R.Meenalochini
for R.5.

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O R D E R
(Order of the Court was made by S.Manikumar,J)

On this day, when the matter came up for hearing, Mr.P.K.Rajagopal, learned counsel for the writ petitioner, seeks permission to withdraw the writ 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In view of the endorsement made by the learned counsel appearing for the petitioner, this writ petition is dismissed as withdrawn. No costs.

s/d-
Assistant Registrar (CS-III)

//True Copy//

Sub-Assistant Registrar

To

1. The Chief Manager
Punjab National Bank
Asset Recovery Management Branch
Khivraj Buildings, I Floor
No.624 Anna Salai
Chennai 600 006.

2. The Debts Recovery Tribunal - I
Chennai.

3. The Recovery Officer
Debts Recovery Tribunal No. I
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+1 CC to M/s. R. Meenalochini, Advocate sr 9836

Writ Petition No.34698 of 2014

KJ (CO)
sp/28/2