



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2017

CORAM:

**THE HONOURABLE MR.JUSTICE M.VENUGOPAL
AND
THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE**

**W.P. (MD) No.21056 of 2017
and
W.M.P. (MD) No.17309 of 2017**

P.Mani

: Petitioner

Vs.

1. The Union of India,
Rep. by its Secretary to Government,
Ministry of Finance, New Delhi.
2. The Authorised Officer/Chief Manager,
Indian Bank, Bodinayakanur,
Theni District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying this Court for issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the second Respondent relating to the sale notice dated 09.10.2017 in respect of the Petitioner's residential building 726 sq.ft. comprised in T.S.No.72/2, Kottaikaruppasamy Kovil Street, Bodinayakanur Village, Bodinayakanur Taluk, Theni District and consequently, forbear the Respondents from in any manner proceeding against the residential building of the Petitioner by way of proceedings under the SARFAESI Act, 2002.

For Petitioner

: Mr.H.Velavadhas

O R D E R

[Order of the Court was made by **M.VENUGOPAL, J.**]

The Learned Counsel for the Petitioner has made an endorsement in the Writ Petition papers to the effect that 'the Petitioner may be permitted to withdraw the Writ Petition.'

2. Recording the aforesaid fact and the endorsement so made in the Writ Petition papers, this Court dismisses the Writ Petition as withdrawn. It is made quite clear that the dismissal of the



present Writ Petition will not preclude the Petitioner to approach the competent Tribunal in the manner known to law and in accordance with law, if he so desires/if so advised. No costs. Consequently, the connected Miscellaneous Petition is closed.

3. Office is directed to return the original Impugned Order to the Learned Counsel for the Petitioner subject to the condition that the Petitioner shall replace the said copy with that of a xerox one. The Office of the Registry is directed to keep the xerox copy of the Impugned Order for the purpose of record/file.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

The Secretary to Government,
The Union of India,
Ministry of Finance,
New Delhi.

+1cc to Mr.P.Dharmaraj, Advocate Sr.No.87258

SML

VB/SV/MMS/SAR1/24/11/2017/2P/3C

**Order made in
W.P. (MD) No.21056 of 2017
Dated: 15.11.2017**