



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P.[MD].No.1570 of 2011

and

M.P.[MD].No.1 of 2011

N.Ulaganatha Pillai

: Petitioner

Vs.

The Authorized Officer,
UCO Bank, Tuticorin Branch,
208, C&D.VE.Road, Tuticorin 628 003.

: Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondent from in any way proceeding with the recovery pursuant to its notice dated 08.10.2010, in reference No.Misc/40/2010-2011, followed by the possession notice dated 22.01.2011, without referring the dispute relating to the alleged non-payment of amount to arbitration proceeding and consequentially direct the respondent to refer the matter to arbitration for fixation of actual due amount as provided under Section 11 of SARFAESI Act, by considering the petitioner's representation, dated 31.01.2011.

For Petitioner : Mr.M.E.Ilango

For Respondent : Mr.K.Periyasamy

O R D E R

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

The learned counsel for the petitioner submitted that the prayer in the Writ Petition has become infructuous.

2. In view of the above, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

The Authorized Officer, UCO Bank, Tuticorin Branch,
208, C&D.VE.Road, Tuticorin,628003.

+1 cc to AJMAL ASSOCIATES,SR NO: 1715

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